

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14085 of 2019

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Ashutosh Kumar, Son of Late Harikant Jha, resident of house number 2143D,
Road number 8A, Udyan Nagar, Lohiya Nagar, P.S.- Kankarbagh, District-
Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supplies
Department, Government of Bihar, Patna.
2. The District Magistrate Patna, Patna.
3. The Managing Director, Bihar State Food Corporation, Sone Bhawan,
Birchand Patel Marg, Patna.
4. The District Manager, State Food Corporation Limited, Patna.
5. The Managing Director, State Food Corporation Limited, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
For the Respondent/s	:	Mr. Alok Ranjan, AC to AAG 5
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 16-07-2019

Heard the learned counsel for the parties.

2. The petitioner seeks a direction to the
respondent authorities to consider his case for appointment
on compassionate ground.

3. The father of the petitioner died in the year
1996 while serving the Bihar State Food and Civil Supplies
Corporation. At that time, the age of the petitioner was
eight years.



4. For a period of approximately five years, there was a complete ban in the Bihar State Food and Civil Supplies Corporation for giving appointment on compassionate ground. After five years of such ban, the petitioner was only 13 years of age. Under the general scheme of compassionate appointment, which is applicable in all Boards and Corporations and Government establishments, no application is to be entertained after five years of the death of the employee.

5. In any view of the matter, the application for compassionate appointment of any person has to be disposed of by the authority. Several other grounds have been taken in the writ petition, one such ground being that persons who were of lesser age at the time of death of their father, have also been selected for being appointed on compassionate ground.

6. No parity could be drawn with respect to such appointments.



7. What this Court can only direct is that if any application has been filed by the petitioner seeking compassionate appointment, such application ought to be disposed of and the petitioner be communicated the decision. It would be desirable if such a decision is taken within a period of six weeks of the receipt/production of a copy of this order.

8. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2019
Transmission Date	

