

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17641 of 2019

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Rakesh Kumar Singh, Son of late Shankar Prasad, R/o Block Road No. 2 Quarter No. B/11, P.O. G.P.O. P.S. Sachibalay, Distt. Patna, at Present R/o Mohalla East Indira Nagar, Bidco Colony, P.S. Kankarbagh, District- Patna- 800010

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Managing Director, Bihar State Pharmaceutical of Chemical Development Corporation, Boring Canal Road(West), Patna- 800001 At Present A Block 5th Floor, Maurya lok Complex, Patna- 800001
3. Principal Secretary, Industry Department, Govt. of Bihar, Old Secretariat, Patna- 15

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Dular Sah, Advocate
For the Respondent/s : Mr. Ravish Chandra, AC to SC-6

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-10-2019 Heard learned counsel for the parties.

2. The petitioner is seeking a direction to the respondents to appoint him on compassionate ground. The petitioner's claim rests on the pleading that his father was working against the post of regular Peon since 1978 till he died in harness in 2004.

3. A counter affidavit has been filed on behalf of respondent-State of Bihar stating specifically that the petitioner's father was not an employee of the Industries Department, Government of Bihar nor was he holding any post



under the State Government. It has also been stated in the counter affidavit that petitioner's claim for compassionate appointment raised nearly 15 years after the death of the deceased, is not at all maintainable.

4. It is peculiar to find that in the writ application there is no averment that the petitioner's father was appointed as a regular Peon in the Department. It is his statement that the petitioner's father was working against the post of regular Peon.

5. Considering the said statement in the writ application in the light of the averments made in the counter affidavit, as noted above, I do not find any merit in this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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