

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3143 of 2019

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Joy Prakash Chauhan @ Jay Prakash Chauhan, son of Late Shiv Lal Chauhan,
resident of Village -Govindpur, P.S.- Rautara, District- Katihar

... .. Petitioner/s

Versus

1. The Union of India, through the Secretary, Defence Services, New Delhi.
2. The Chief Engineer (AF), Shillong Zone, Military Engineer Service Elephant Falls Camp, Shillong.
3. The Dy. Director (Pers. and Legal) Shillong Zone, Military Engineer Service, Shillong.
4. The Engineer-in-Chief, Army Head Quarter, DHR, Kashmir House, New Delhi-II.
5. The Chief Engineer (HQ) Eastern Command, Fort William, Kolkata- 21.
6. The AE/Civil), AGI (1) 0 Air Force, Chuanpur, Purnia, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Singh, Advocate
For the Respondent/s	:	Mr. S.D.Sanjay, Addl.S.G.I.
		Mr. Kumar Priya Ranjan, C.G.C.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-02-2019 Heard Shri Ajit Kumar Singh, learned counsel for the

petitioner and Shri S.D. Sanjay, learned Additional Solicitor

General for the Union of India.

The challenge is raised to the order dated 28th of July,
2018, whereby the request for compassionate appointment by
the petitioner has been declined by the respondent-Chief
Engineer.

Learned counsel for the petitioner prays that the order
is not in accordance with law, but what we find is that such an



order can be assailed before the Central Administrative Tribunal keeping in view the law laid down by the Apex Court in the case of **L. Chandra Kumar vs. Union of India (AIR 1997 SC 1125)**.

Consequently, the petition is dismissed with liberty to the petitioner to approach the Central Administrative Tribunal for redressal of his grievances.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

PNM/Saif

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