

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20504 of 2010

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Ajeet Ram, S/O Harendra Ram, R/O Vill.- Kharwania, P.S.- Nawanagar,
Distt.- Buxar (BIHAR)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Compassionate Appointment Committee Through The District Magistrate Katihar
3. The Deputy Commissioner (Establishment), Katihar
4. The Chief Engineer Water Resources Department, Purnea
5. The Superintending Engineer Mahananda Flood Control Anchal, Katihar
6. The Executive Engineer, Flood Control Division, Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate
For the Respondent/s : Md. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 07-01-2019

Heard learned counsel for the petitioner and learned
Counsel for the State.

In the present case, the petitioner is seeking the relief of compassionate appointment. The father of the petitioner became traceless in the year 1978 while posted at 'Lama' in Katihar. In the same year, the petitioner had taken birth. As per the provision of Section 108 of the Evidence Act, after 7 years, the person, who is traceless, will be treated to be no more and now it will be treated that after 7 years his father was no more and if 5 years is added i.e. the maximum period within which the application for the compassionate appointment is to be filed, it will come to 12 years. So, the petitioner remained minor as the minimum age for the



appointment of Class IV is 18 years. Therefore, no stretch of imagination, he will be treated to be entitled for appointment on compassionate ground.

This Court does not find any merit in the present application and, accordingly, this writ application is dismissed.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan

AFR/NAFR	N.A.F.R.
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