

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19782 of 2019

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Sudarshan Kumar, Son of Late Govind Prasad Gupta, Resident of Mohalla-
Purani Aspatal Road, P.O. and P.S.-Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Commercial Taxation, Govt. of Bihar, Patna.
4. The District Compassionate Appointment Committee through its Chairman.
5. The District Magistrate, Jehanabad.
6. The Assistant Commissioner, Office of the Commercial Tax Circle, Jehanabad Circle, District-Jehanabad.
7. Jyoti Kumari, D/o Govind Prasad Gupta, Resident of Purani Aspatal Road, P.O. and P.S.-Jehanabad, District-Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate
For the Respondent/s : Mr. Rewti Kumar Raman, AC to SC-11

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-11-2019 Heard learned counsel for the parties.

2. Father of the petitioner died in harness. Petitioner had made an application seeking his appointment on compassionate ground consequent upon death of his father.

3. He had earlier approached this Court by filing a writ application giving rise to CWJC No. 17162 of 2012, which was disposed of by an order dated 14.09.2012 whereby the respondents were directed to consider the petitioner's case for



his appointment on compassionate ground. It seems that thereafter the mother of the petitioner had withdrawn her consent for appointment of the petitioner on compassionate ground and she gave her consent in favour of her daughter Jyoti Kumari.

4. It appears that the said Jyoti Kumari also filed a writ application before this Court giving rise to CWJC No. 16032 of 2013, which matter is said to be still pending. It appears from the order dated 06.12.2016, passed in CWJC No. 16032 of 2013 that said Jyoti Kumari, the sister of the petitioner, is physically challenged.

5. It seems that during pendency of the said writ application, Jyoti Kumari has been given compassionate appointment. It is the petitioner's case that he should have been appointed on compassionate ground and not his sister in the light of earlier order of this Court dated 14.09.2012, passed in CWJC No. 17162 of 2012 whereby his case was directed to be considered.

6. The age of the petitioner has been described as 37 years. It has been aptly mentioned in the order dated 06.12.2016 of this Court in CWJC No. 16032 of 2013 that compassionate appointment is not made for an individual but for the benefit of



the family. It is not the case of the petitioner that his sister Jyoti Kumari is not maintaining the family after having been appointed on compassionate ground. The petitioner, in my view, cannot claim by way of right to be appointed on compassionate ground, in the facts and circumstances of the case, after appointment of his sister on compassionate ground.

7. I do not find any merit in this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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