

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2400 of 2020

Syed Gajanfar Ahsan S/o Late Syed Zafar Ahsan, Nanhe R/o Moh- Khan Ki Gali - 02, Panchatiya Akhara, P.S. Town, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Department of Forest, Bihar, Patna.
3. The Principal Chief Conservator of Forest, Bihar, Patna.
4. The Chief Conservator of Forest, Administration and Human Resources Development, Bihar, Patna.
5. The Conservator of Forest, Gaya Circle, Gaya.
6. The District Magistrate cum Chairman, District Compassionate Committee, Gaya.
7. The Additional Collector (Special) cum Secretary, District Compassionate Committee, Gaya.
8. The District Establishment Deputy Collector, Gaya.
9. The Divisional Forest Officer, Forest Division, Gaya.
10. The Forest Area Officer, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeet Kumar Mr. Shailesh Kumar
For the Respondent/s	:	Mr. Sudish Kumar, AC to (Paag2)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-02-2020 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State.

Petitioner's father passed away on 2.3.2014 while working as Forest Guard. Petitioner applied for compassionate appointment. District Compassionate Appointment Committee in its meeting dated 9.1.2015 showed compassion to the petitioner and recommended his appointment on Class IV post in the office of Conservator of Forest, Gaya Circle. The petitioner thereafter was appointed as Chaukidar on 7.2.2015 by office order no. 13 issued by respondent No. 5. Petitioner does not appear to be satisfied with grant of compassionate



appointment as Chaukidar.

He has now approached this Court on the basis of some recommendation made by District Forest Officer for his compassionate appointment as a Forest Guard. Reliance is specifically placed on Annexure 16 dated 10.8.2012 issued by Environment and Forest Department to submit that the recommendation made in petitioner's favour was required to be expeditiously taken to its logical conclusion.

Bare perusal of Annexure 16 dated 10.8.2012 shows that the letter is expressing anguish over pendency of the claim for compassionate appointment. The direction has been issued so that compassionate appointment claims should not be kept inordinately pending. The petitioner on the other hand has been granted compassionate appointment on 7.2.2015 itself. Therefore petitioner's claim for compassionate appointment is not a pending one. Therefore reliance on directions contained in letter dated 10.8.2012 is baseless.

There is no question of grant of second compassionate appointment to the petitioner when he has been granted compassionate appointment on 7.2.2015 itself.

No enforceable claim is made out in the writ proceeding.

The writ petition is dismissed.

(Madhuresh Prasad, J)

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