

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4361 of 2016

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Vijay Kumar son of Late Bishundeo Prasad Sinha, resident of Village-
Bhairokhar, P.O- Bhairokhar, P.S- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

1. Union Of India
2. The Chief Post Master General, Bihar Circle, G.P.O Complex, Patna.
3. The Post Master General, Northern Region, Muzaffarpur.
4. The Director of Post, Northern Region, Muzaffarpur.
5. The Assistant Director Recruitment, Office of Chief Post Master General,
Bihar Circle, G.P.O. Comp
6. The Senior Superintendent of Post Offices, Muzaffarpur Postal Division,
Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Krishna Bariar, Adv
For the Respondent/s : Mr. Dr. K.N. Singh Addl. Soc. Gen. & Mr.
Ravindra Kumar Sharma, CGC

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 03-09-2020

Heard learned counsel for the parties.

The prayer of the petitioner in this writ application reads
as follows:-

“(a)for quashing of the order dated
04.09.2015 passed in OA No. 050/00099/2015 by
the Central Administrative Tribunal, Patna Bench,
Patna (hereinafter referred to “CAT” or Tribunal)
wherein and whereby prayer of compassionate
appointment has been rejected.



(b)for quashing of the order No. R&E-76/2014-06/GDS dated 09/12.01/2015.”

Briefly stated, the facts of the case is that father of petitioner namely, Vishundeo Prasad Sinha, while posted as GDS MD/MC within Muzaffarpur Postal Division died in harness on 13.12.2011 leaving behind 4 sons including petitioner and 2 daughters including 1 unmarried and mentally retarded daughter.

Petitioner represented before the department for appointment on compassionate ground alongwith required documents on the ground that the family of deceased is suffering from destitution due to sad demise of their sole bread earner, however, the case of the petitioner was rejected by the department as according to parameters laid down by the department for appointment on compassionate ground, petitioner was not found entitled for compassionate appointment and his case was rejected by order dated 12.01.2015 and communicated to him by the department.

In order to be eligible to be considered for grant of compassionate appointment, applicant should have 50 weightage points, however, petitioner was having 48 weightage points and as such his case for grant of compassionate



appointment was rejected by the department, aggrieved by which petitioner approached the Central Administrative Tribunal (hereinafter referred to as Tribunal) and after due consideration the Tribunal rejected the claim of petitioner for grant of compassionate appointment.

Department in its written statement, as placed before the Tribunal, gave the details of weightage point, on the basis of which petitioner was granted 48 points. The Tribunal also reworked the weightage points of petitioner and did not find him eligible for consideration for appointment on compassionate ground and rejected his case, being devoid of any merit.

After hearing learned counsel for the parties and considering the materials available on record, this Court does not find any error or infirmity in the order passed by the Tribunal, and accordingly, writ petition is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.10.2020
Transmission Date	NA

