

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1864 of 2020

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Premlata Devi, W/o Late Dilip Kumar Paswan @ Dilip Paswan, resident of
Mohalla- Topkhana Bazar, Katihar, P.O.- Munger, District- Munger.

... .. Petitioner/s

Versus

1. The Union of India Through the Chairman, Railway Board, Rail Bhawan,
New Delhi.
2. The Director Estt. Railway Board, New Delhi.
3. General Manager, Eastern Railway, Kolkata.
4. The General Manager (P), Eastern Railway, Kolkata.
5. The Chief Security Commissioner, R.P.F., Eastern Railway, Kolkata.
6. The Divisional Railway Manager, Eastern Railway, Malda.
7. The Sr. Divisional Personnel Officer, Eastern Railway, Malda.
8. The Divisional Security Commissioner, RPF, Eastern Railway, Malda.
9. The Asstt. Security Commissioner, RPF, Eastern Railway, Jamalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Hemant Kumar Karan
For the Respondent/s	:	Mr.Ramadhar Shekhar (Ad.Sc.Railway)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-02-2020 Heard counsel for the petitioner and counsel for the
respondents.

The petitioner is wife of head constable of the
respondent-force who died in harness. Claim for compassionate
appointment is pending consideration before the authorities.
Letter dated 25.10.2018 issued by the Director, Establishment,
Railway Board, New Delhi addressed to the General Manager
(P), Eastern Railway, Kolkata shows that same warranted action
on petitioner's claim treating it as most urgent.



Today, when the matter is taken up, it is submitted by counsel for the petitioner that still no decision has been communicated to the petitioner in this regard.

Compassion contemplated under the scheme of compassionate appointment therefore, is at the risk of being defeated on account of inordinate delay on the part of the authorities in considering the claim and granting due benefit.

Matter is yet to be considered on the order passed thereupon by the authorities. Since claim has to be considered by authorities no adjudication is called for. Pendency of writ petition would thus be futile.

Writ petition is disposed of with direction to respondent no.4 to take a final decision in this respect expeditiously and without undue delay, and preferably within four weeks from the date of receipt/production of a copy of this order, under due intimation to the petitioner.

Should the petitioner be legally found entitled for compassionate appointment, the same should be offered/granted expeditiously and without any undue delay, in accordance with law.

s.hassan/-

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(Madhuresh Prasad, J)

