IN THE HIGH COURT OF JHARKHAND, RANCHI

W.P.(S) No. 1938 of 2019

Jitesh Kumar Ram, aged about 25 years, s/o late Ram Nath Ram, r/o village –Parmanpur, PO Khandricha, PS Karan Sarai, Dist. Buxor(Bihar)
….. Petitioner

-- Versus --

1.Union of India, through Secretary, Ministry of Home Affairs, Govt. of India, PO+PS-North Block, New Delhi

2.The Director General, CISF, Block No.13 CGO Complex, PO+PS-Lodhi Road, New Delhi – 110003

3.The Inspector General , CISF, Eastern Sector Head quarter, PO +PS-Dhurwa, Ranchi, Jharkhand

4.The DIG, CISF, Unit BSL Bokaro, PO+PS Bokaro, District Bokaro, Jharkhand
5.The Commandant, CISF, Unit Gongua, Gua, PO+PS Gongua, Dist. West Singhbhum, Jharkhand ……. Respondents

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CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Shashi Kant, Advocate
For Resp.-State :- Mr. Prabhat Kumar Sinha, Advocate

5/15.12.2020 Heard Mr. Shashi Kant, the learned counsel for the petitioner and Mr. Prabhat Kumar Sinha, the learned counsel for the respondent State.

This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.

The petitioner has preferred this writ petition for direction to the respondents to appoint on compassionate ground as his father namely Ram Nath Ram died in harness while posted at CISF Unit Gongua.

The learned counsel for the petitioner submits that the father of the petitioner joined the service of CISF and was posted as constable in CISF Unit Gongua, West Singhbhum and died on 12.05.2016

in harness. The petitioner made an application before the respondent for compassionate appointment along with the credentials. The petitioner has received the call letter for recruitment on compassionate ground vide letter dated 17.10.2017 and petitioner visited Bokaro for test on 19.12.2017 and was told that the result will be declared later and the petitioner appeared on two occasions.

Mr. Prabhat Kumar Sinha, the learned counsel for the State submits that in view of the scheme of the CISF for appointment on compassionate ground the opportunity has been provided to the petitioner. The petitioner appeared for two physical tests on 09.12.2017 and 05.06.2018 and was declared not qualified. He submits that the petitioner is still having two opportunities to appear before the authority concerned. He further submits that the writ petition is pre-mature in view of the CISF rules. The petitioner may approach the authority for test and two opportunities are still there.

In view of the above facts and considering that the petitioner has already appeared twice before the authority for such appointment and declared not qualified and in view of the statement made in the counter affidavit that two opportunity is still there to the petitioner to appear before the authority.

The present writ petition is disposed of with a direction to the petitioner to appear before the authority for the said test and the concerned authority shall provide opportunity to the petitioner as stated in the counter affidavit and will pass appropriate reasoned order after considering the test.

With the aforesaid observation and direction, the writ petition stands disposed of.

(Sanjay Kumar Dwivedi, J)

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