

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6493 of 2020

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Jyoti Kumari, D/o Late Baban Singh, Resident of Village- Chak Hasanpur,
P.S.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum-Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Director General of Police-cum-Inspector General of Police, Bihar, Patna.
3. The Divisional Inspector General of Police, Magadh Range, Gaya.
4. The Inspector General of Police (Welfare), Bihar, Patna.
5. The Superintendent of Police, Gaya.
6. The Superintendent of Police, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad (SC-8)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 17-12-2021

Heard learned counsel for the parties.

2. In the instant petition, the petitioner has prayed for the following reliefs:

- “(i) For issuance of writ in the nature of mandamus commanding and directing the Respondents authority to appoint the petitioner on any suitable post on compassionate ground as the father of the petitioner while remaining in service has died on 7.9.2002.
- (ii) For further direction to the Respondents authority to take necessary action and final decision in view of the recommendation / guidelines sought by the Senior Superintendent of Police, Gaya from the Assistant of Inspector General of Police (Welfare) in view of the recommendation dated 17th October, 2019.



(iii) For further direction the Respondents authority to dispose of the representation of the petitioner by reasoned and speaking order within time framed.

(iv) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”

3. The petitioner’s father died 07.09.2002. There were certain correspondence by the petitioner’s mother for the purpose of certain benefits, which was due to the deceased employee and compassionate appointment. The same was not redressed timely or the petitioner’s mother approached this Court within a reasonable period of time.

4. The family of the deceased employee survived from 07.09.2002 to this day. Therefore, the very object of providing compassionate appointment is to meet immediate harness in the family and enable family to tide over an immediate crisis. Recently, Apex Court examined identical matter in which it is held that compassionate appointment is not a fundamental right in the case of **Union of India & Ors Vs. Amrita Sinha** decided on 11.12.2021 in Civil Appeal Nos. 7640-7641 of 2021.

5. Therefore, the present petition stands dismissed on the ground of delay and laches.

(P. B. Bajanthri, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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