

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12609 of 2021

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Zafar Hussain Khan son of Late Abrar Ahmad Khan resident of - Nawadih,
P.S. - Aurangabad, District- Aurangabad.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Department of Homes, Govt. of India, New Delhi.
2. The Director General of Police, CRPF, New Delhi.
3. The Inspector General of Police, CRPF, Sector Bihar, Patna, Ashiana Digha Road, Patna.
4. The Deputy Inspector General of Police, CRPF, Group Centre, Muzaffarpur.
5. The Commandant, CRPF, Battalion 134, G.L.A. College Campus, Daltengunj, District- Palamu, Jharkhand.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sarva Deo Singh, Advocate
For the Respondent/s : Mr. Dr. K. N. Singh (ASG)

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

Date : 17-12-2021

This matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

Heard learned counsels for respective parties.

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

“For issuance of an appropriate writ/writs, order/orders, direction/directions for Commanding the respondents for consideration of case of the petitioner for appointment on compassionate ground as per the standing order of Director General of C.R.P.F. New



Delhi (Ministry of Home Affairs). However the petitioner is the eldest son and nominated by his mother.

The petitioner further prays for issuance off appointment letter as the petitioner may be found entitled. However the father of the petitioner died on 16.06.2019 during service as Head Constable.

And for any other relief/reliefs the petitioner may be found entitled.”

On 01.12.2021, the following order was passed:-

“The concerned respondent is hereby directed to file affidavit stating that the petitioner’s grievance relating to compassionate appointment was not considered in respect of events like petitioner’s father died on 16.06.2019 and application for compassionate appointment was submitted on 05.07.2019. There is an inaction on the part of the respondent in not taking a decision on the petitioner’s grievance relating to compassionate appointment.

Relist the matter on 15.12.2021.

It is made clear that no further time would be granted to the concerned respondent.”

Today, learned counsel for the respondents pointed out from Annexure-8 of the counter affidavit filed on behalf of respondent no. 1 to 5 which reads as under:-

“8. That, so far as statements made in para 11 is concerned, it is stated that the petitioner had applied for the post of Ct/GX. But due to lack vacancy in the post of Ct/GD, the case was returned



by the competent authority. When intimation regarding various vacancies for other post of compassionate appointment was received to 134 Bn, then 134 Bn vide their office letter No. A. VI-3/2021-ESTT-1/134 dated 27/05/2021 had supplied again a format for other post.”

In terms of para 8 of the counter affidavit, the concerned respondent is hereby directed to consider the grievance of the petitioner for compassionate appointment. If relevant rules or executive order provides for fresh application from the petitioner such application shall be obtained from the petitioner and, thereafter, proceed or in the alternative take note of his earlier application for the compassionate appointment with reference to statement made in para 6.

The above exercise shall be completed within a period of two months from the date of receipt of this order and issue order of appointment to the petitioner, if the petitioner is otherwise eligible.

With the aforesaid observations, the present writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFAR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

