

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3783 of 2018

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Pankaj Kumar Niraj Son of Late Laxmi Mahto, Resident of Village-Bihat,
P.O.-Bihat, P.S.-Barauni, District-Begusarai.

... .. Petitioner/s

Versus

1. The Union Of India
2. Director General, Central Reserve Police Force, Block No-1, C.G.O. Complex, Lodhi Road, New Delhi-1
3. Dy. Inspector General of Police, Central Reserve Police Force, Group Centre, Muzzafarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jainandan Kumar
For the Respondent/s	:	Mr.A. K. Pandey, SCGC Mr. R. K. Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 02-11-2021 Heard learned Counsel for the parties concerned.

The petitioner has filed the present writ application for a direction to the respondents-Central Reserve Police Force to consider the case of the petitioner for compassionate appointment on the ground that the father of the petitioner, who was serving as a Constable in the Central Reserve Police Force, died in harness on 01.08.2014.

The stand of the respondents-Central Reserve Police Force/Union of India is that the petitioner was considered for appointment on compassionate ground and was found medically unfit inasmuch as the petitioner was suffering from defective colour perception.



However, learned Counsel for the petitioner, after some arguments, submits that the deceased employee had two sons and this petitioner is the eldest son of the deceased employee and if he has been found medically unfit, the respondents-Central Reserve Police Force may be directed to consider the case for appointment on compassionate ground of the second son of the deceased employee, who is eligible in all respect. He further submits that in paragraph 26 of the counter affidavit, the respondents-Central Reserve Police Force has stated that the younger brother of the present petitioner can apply for appointment on compassionate ground as per prevailing rules and regulations.

Learned Counsel for the respondents-Central Reserve Police Force submits that if the younger brother of the present petitioner is found eligible as per the prevailing rules and regulations, the respondents-Central Reserve Police Force may consider his case for appointment on compassionate ground.

Having heard learned Counsel for the parties, taking into consideration the materials on record, the pleadings of the parties and the stand of the respondents-Central Reserve Police Force, the petitioner is permitted to apply/request for appointment on compassionate ground of his younger brother



and if such an application/request is made by the younger brother of the petitioner, the same shall be considered in accordance with law by respondent no. 3 within a period of four months from the date of receipt of the application/request by the younger brother of the petitioner.

With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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