

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10397 of 2021

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Ranjeet Kumar son of Late, Ram Babu Paswan R/O - Ward No. 03, South,
Raja Bazar, Daultapur, P.S. Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Human Resources Development, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Secretary, District compassionate Appointment Committee, Gaya.
4. The District Establishment Deputy Collector, Gaya.
5. The District Education officer, Gaya.
6. The District Programme officer (Establishment), Gaya.
7. Amarjeet Kumar s/o - Late Ram Babu Paswan R/O - Ward No. 03 South, Raja Bazar, Daultapur, P.S. and District- Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Respondent/s : Mr.

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

Date : 25-02-2022

Heard the learned counsels for the parties.

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

“1. That, by through this writ petition the petitioner seeks/ indulgence from this Hon’ble Court for the following relief(s):-

(i) To Quash/Set aside the para No. 04 of minute of District Compensation appointment Committee, Gaya issued vide memo no. 893/ Est. dated 23-05-2015 whereby and where under reject the candidature of petitioner on 17-07-2014 on the basis of educational qualification was eight class.

(ii) To direct the respondents to consider the Case of petitioner for compassionate appointment. Who is facing hardship due to died of his father in harness during service.

(iii) To grant any other relief (s)



for which petitioner entitled under the law.”

3. Petitioner’s father, namely, Ram Babu Paswan was stated to have been working as driver in the office of District Education Officer, Gaya. He died while he was in service on 23.07.2009 whereas the petitioner submitted application for compassionate appointment on 30.08.2013 and it was rejected on 23.05.2015. Petitioner has not explained undue delay of six years in questioning the order dated 23.05.2015. Therefore, petitioner is not entitled to relief on the ground of delay and laches in the light of following Apex Court’s decision:

(i) Union Of India & Another vs. Shashank Goswami & Another reported in 2012 11 SCC 307.

(ii) Shreejith L. vs. Deputy Director (Education) Kerala and Others reported in 2012 7 SCC 248.

(iii) Dhalla Ram vs. Union Of India And Others reported in 1997 11 SCC 201.

(iv) State of Uttar Pradesh and Others vs. Premlata reported in (2022) 1 SCC 30.

4. Accordingly, the present petition stands dismissed on the ground of delay and laches.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
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