

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.98 of 2021

In
Letters Patent Appeal No.1018 of 2018

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Uma Devi @ Uma Kumari, Daughter of Late Ram Swaroop Singh, Wife of Sri Mahesh Prasad, resident of Village- Dhanaut, Near Mahavir Mandir, Mahuabagh, P.O.- Dhanaut, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Animal Husbandry Department, Government of Bihar, Patna.
2. The Director, Animal Husbandry and Production Institution, Government of Bihar, Patna.
3. The District Magistrate-cum-Chairman, District Compassionate Appointment Committee, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Lalit Kishore (A.G.)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 27-01-2022

This review petition has been preferred against the order dated 30.01.2021 passed in L.P.A. No. 1018 of 2018 (arising out of C.W.J.C. No. 15871 of 2010) dismissing the Letters Patent Appeal.

Father of the review petitioner Ram Swaroop Singh died in harness on 19.07.2003 while working on class IV post in Animal Husbandry and Production Institution, Government of

Bihar, Patna, leaving behind his widow and two married daughters.

Review petitioner was married daughter of deceased and she applied for compassionate appointment in the department on 13.03.2007, however, since no decision was being taken on her application for grant of compassionate appointment, she filed C.W.J.C. No. 15871 of 2010 for direction to the departmental authorities to consider her case for compassionate appointment, however, same was dismissed by order dated 20.12.2017 passed by learned Single Judge on the ground that married daughter does not come under the definition of dependents for compassionate appointment. Widow of deceased also died during pendency of writ petition.

It is submitted that during pendency of writ petition, the scheme of compassionate appointment was modified vide Circular dated 10.12.2014 by which even the married daughters were included within the definition of dependents under compassionate scheme with certain conditions. The learned Single Judge held that above circular dated 10.12.2014 was not applicable in case of petitioner and she cannot derive any benefit from said circular and dismissed the writ petition.

The LPA preferred by the writ petitioner was also

dismissed by order dated 30.01.2021 against which present review petition has been filed.

This Court does not find any error or infirmity in the order passed by the Division Bench, accordingly, the review petition is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

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Uploading Date	
Transmission Date	