

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14717 of 2021

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Surji Kumari @ Surji Devi W/o Kanhai Choudhary and D/o-Late Bharat Choudhary, Resident of Mohalla-Maliya Mahadeo, Jalla Road, P.O.-Gulzarbagh, P.S.-Alamganj, Patna. City, District-Patna, Pin-800007.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of Urban Department, Govt. of Bihar.
2. The Urban Development Commissioner of Patna. Municipal Corporation, Maurya Lok, Patna.
3. Commissioner, Patna Municipal Corporation, Maurya Lok, Patna.
4. The Chief Administrative Officer of Patna Municipal Corporation, Maurya Lok, Patna.
5. The Executive Officer, Patna Municipal Corporation, Azimabad, Patna. City Circle, Meena Bazar, patna City, P.O.-Gulzarbagh, P.S.-Alamganj, District-Patna, 800007.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akshay Lal Pandit, Adv
For the Respondent/s : Mr. Arun Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-11-2022 It is the petitioner's case that her father died while in service as Gangman Coolie on permanent basis in the respondent-Corporation. He is said to have died on 22.08.2004 whereafter application was made by petitioner's mother in her favor for grant of compassionate appointment on 30.01.2015, nearly 11 years later.

2. The admitted position is that petitioner's mother also passed away on 22.05.2019.

3. The writ application has been filed seeking



compassionate appointment in the month of August, 2021.
There is no explanation as to why the claim has been made by
filing the instant writ petition after such an inordinate delay.

4. The admitted position is that application for
compassionate appointment, in terms of the claim of the
Government of Bihar, is required to be made within five years,
exception being in case dependent of the deceased is minor, for
whom there is a separate provision. It is also not the petitioner's
case that she was a minor at the time of death of her father.

5. No case is made out in view of the facts and
circumstances of the case as noted above. Writ petition is devoid
of merit and dismissed.

(Madhuresh Prasad, J)

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