

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1308 of 2021

MD. SHAMIM Son of Late Abdul Mazid Resident of village- Piho, P.S.-
Sakra, District- Muzaffarpur-843119

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Muzaffarpur
2. The Superintendent of Police, Muzaffarpur
3. The Deputy Superintendent of Police, Muzaffarpur
4. The Block Development Officer, Piho Block, District- Muzaffarpur
5. The Officer-in-Charge, Sakra Police station, District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. M.N.H.Khan(Sc1)

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

2 17-01-2022 None appeared for the petitioner.

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

(i) For issuance of writ in the nature of
mandamus commanding and directing the Respondent
authority to make appointment to the petitioner on
appropriate post on compassionate ground as the father
of the petitioner who was Chowkidar has died
remaining in service on 21.5.2007.

(ii) For further direction to the Respondents
Authority to dispose of the claim of the petitioner by
reasoned and speaking order within time framed and
make appointment as early as possible.

(iii) And for any such other relief/reliefs for
which the petitioner is found to be entitled in the eyes



of law.

Petitioner's father died on 21.5.2007 while he was holding the post of Choukidar. The petitioner's brother submitted application on 21.11.2007 but he did not pursue the application. Thereafter, the petitioner is stated to have pursued the matter to appoint him on compassionate ground. The delay and laches has not been explained by the petitioner in seeking compassionate appointment.

The object for providing compassionate is to meet immediate harness in the family. That apart, the Apex Court held that compassionate appointment is not a fundamental right.

In the light of these facts and circumstances, the present petition seeking for compassionate appointment is highly belated. Moreover, the petitioner's family survived from 21.5.2007 to this date. Therefore, there is no need for compassionate appointment at this distance of time, accordingly, the writ petition stands dismissed.

(P. B. Bajanthri, J)

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