

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4121 of 2020

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Sudhir Kumar Choudhary son of late Ramesh Chandra Choudhary, Resident
of village- Pidhagobhi, P.O.- Sonupur, P.S.- Rosoura, District- Samastipur
... .. Petitioner

Versus

1. The State of Bihar through the Registrar, Co-operative Societies, Bihar, Patna
2. The Registrar, Co-operative Societies, Bihar, Patna
3. The Samastipur District Central Co-operative Bank Ltd., through its Managing Director,
4. The Managing Director, The Samastipur District Central Co-operative Bank Ltd., Samastipur
5. The Compassionate appointment Committee, The Samastipur District Central Co-operative Bank Ltd., Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Nikesh, Adv.
For the Respondent No. 2 &3	:	Mr. Bindhyachal Rai with Mr. Rajeev Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and learned
counsel for the respondent Nos. 2 and 3.

2. On mentioning slip being filed for priority listing,
the matter has been listed today under the heading ‘To be
Mentioned’.

3. The petitioner is before this Court claiming
compassionate appointment. The petitioner’s father died in
2005. He submits that pursuant to some information under
Right to Information Act and communication, he has again filed
a representation which may be directed to be disposed of.

4. The court would find that the petitioner’s claim for



compassionate appointment was rejected by an order dated 22/07/2008 (Annexure-3). The same was having regard to the scheme for compassionate appointment, as existed on that date. The same has never been assailed by the petitioner.

5. This Court finds that today based on some subsequent correspondence, in this regard arising out of a letter issued by the cooperative department on 08/12/2015, much after the petitioner's claim had been rejected in 2008, he has filed an application seeking issuance of a direction to consider his claim for compassionate appointment.

6. The facts above, leave no scope for the petitioner to claim compassionate appointment in view of death of his father in harness, in the year 2005, so late in the day that also based on a letter of 08/12/2015, when his claim was already rejected on 22/07/2008 which was never challenged by the petitioner.

7. The petitioner's claim is, thus barred by delay and latches as well as on the principle of acquiescence, waiver and estoppel. No case is made out.

8. The writ petition is dismissed.

(Madhuresh Prasad, J)

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