

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12045 of 2016

Mintu Kumar Dutta son of Ashok Kumar Dutta Resident of village and P.S.-
Bousi, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Health Service, Govt. of Bihar, Patna
2. The Director in Chief, Health Service, Govt. of Bihar.
3. The District Compassionate Committee Bhagalpur through its Chairmabn the District Magistrate, Bhaga
4. The District Compassionate Committee Banka through its Chairmabn the District Magistrate, Banka.
5. The Civil Surgeon cum the Chief Medical Officer, Bhagalpur.
6. The Civil Surgeon cum the Chief Medical Officer, Banka.
7. The In-Charge Medical Officer, Referral Hospital Katouriya, Banka.
8. Ashok Kumar Duatta son of Late Madhusudan Prasad Dutta, Resident of village and P.S.- Bousi, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Avinash Kumar, Advocate

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

Date : 16-05-2023

No one appears on behalf of the petitioner.

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

“i. For issuance of an appropriate writ in the nature of Certiorari for quashing the order/decision of the District Compassionate Committee, Banka on 30.03.2011 vide memo no. 29.09.2011 21 (Pr.) Est. Banka dated 30.03.2011 issued under the signature of the respondent no. 3 whereby and whereunder the application filed by the petitioner on the basis of compassionate ground, was rejected on account of delayed request (Annexure – 8).



ii. For issuance of an appropriate writ in the nature of Mandamus, Commanding and directing the respondent no. 04 to appoint the petitioner on the compassionate ground.

iii. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioners would be entitled under the facts and circumstances of the case.”

3. Grievance of the petitioner is for appointing him on compassionate ground. Perusal of the records, it is evident that there is inordinate delay in seeking compassionate appointment. Request of the petitioner has been rejected on the sole ground of delay as is evident from Annexure – 8.

4. The object of providing compassionate appointment is to meet immediate hardship in the family. Cause of action is stated to have occurred during the year 2009 – 2011. That apart, the impugned memo i.e. Memo No. 29.09.2011-21(Pr.) dated 30.03.2011 whereas the present petition is presented in the year 2016, therefore, there is delay and laches on the part of the petitioner in approaching this Court also.

5. Accordingly, present writ petition stands dismissed.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2023
Transmission Date	NA

