

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3864 of 2022

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Talha Arzoo, son of Md. Mazhar Uddin, r/o Ward No. -05, Hat Tola, Vill and Post-Rajokhar, P.S. and Dist-Araria (Nagar Parishad).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Public Health Engineering Department, Govt. of Bihar, Patna.
5. The Superintending Engineer, Public Health Engineering Circle, Purnea.
6. The Executive Engineer, Public Health Division, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr.Siyaram Pandey, Advocate
For the State : Mr.Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 4 06-07-2023 1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The admitted position is that the claim for compassionate appointment in the instant writ proceedings has been raised 28 years after demise of the petitioner's father on 01.03.1994.
3. As a result of decision of the full bench in the case of *Mobina Khatoon vs. The State of Bihar and Ors.* reported in *2019 (1) PLJR 1015*, it is admitted that the benefit



of pensionary benefits has been extended to the petitioner's mother while she was still alive. The order of the full bench has categorically held that dependents of the work-charged employee, as the petitioner, would not be entitled to claim appointment on compassionate ground in absence of any scheme framed by the Government for such work-charged establishment.

4. This court would find that the petitioner has not asserted his claim with reference to any scheme. Even otherwise, he has invoked the writ jurisdiction for compassionate appointment about 28 years after demise of his father in harness. The claim as such is hopelessly barred by delay and laches.

5. Writ petition is accordingly dismissed.

(Madhuresh Prasad, J)

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