

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4383 of 2023**

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1. Raushan Kumar Son of Krishna Kant Singh @ Shrikant Singh Residence of Village- Bhadokhara, Police Station- Muffasil, District- Nawada.
  2. Meena Devi, Wife of Krishna Kant Singh @ Shrikant Singh Residence of Village- Bhadokhara, Police Station- Muffasil, District- Nawada.

... .. Petitioners

Versus

1. Bihar State Power Holding Company Limited, Bihar through its Chairman-cum-Managing Director, Vidyut Bhawan, Jawahar Lal Nehru Marg, Patna.
2. South Bihar Power Distribution Company Limited, through its Managing Director, Vidyut Bhawan, Jawahar Lal Nehru Marg, Patna.
3. That General Manager, (Human Resources and Administration), at D.A.V. Public School, BSPHCL Colony, New Punaichak, Patna- 23.
4. The Chief Manager-cum-Chief Engineer, Central Vidyut Kshetra, Patna, Serpentine Road, Patna.
5. The Dy. Director, Accounts, Central Vidyut Aapurti Kshetra, Patna, Serpentine Road, Patna.
6. The Superintendent Engineer, Vidyut Aapurti Anchal, Biharsharif, District- Nalanda.
7. The Executive Engineer, Vidyut Aapurti Pramandal, Nalanda, P.O.- Nalanda, District- Nalanda.

... .. Respondents

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**Appearance :**

For the Petitioner/s : Mr.  
For the SBPDCL : Mr. Kumar Priya Ranjan, Addl. S.C.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      03-05-2023                      No one appears on behalf of the petitioners.

Mr. Kumar Priya Ranjan, learned counsel for the  
respondents is present.

Petitioners in the present case are seeking a direction  
to the respondent authorities particularly the respondent nos. 2  
to 4 to appoint the petitioner no. 1 on the post of Switch Board  
Operator by way of compassionate appointment on place of his



brother.

The facts of the case as revealed from the writ application is that the brother of the petitioner no. 1 was appointed on the post of Switch Board Operator on 22.01.2019. While in service, he died on 05.01.2022. The petitioners state that the wife of the deceased employee left the house after taking all valuables and went for another marriage at some other place. An affidavit of the wife of the deceased has been brought on record as Annexure '3' to the writ application to show that she has left the in-laws' place and has declared that she would have no claim either in the death-cum-retiral dues of her husband or in compassionate appointment or in any other movable or immovable property.

The petitioner no. 1 being the brother of the deceased employee has filed a representation before the Executive Engineer and the Assistant Engineer, Rajgeer for his appointment on compassionate ground. The widow of the deceased employee has not been impleaded as a party in the writ application. There is no statement that the deceased employee left behind any dependent child or any other dependent.

The writ application is also silent on the point as to whether the petitioner no. 1 being brother of the deceased would



be eligible for consideration.

Mr. Kumar Priya Ranjan, learned counsel for the respondents has submitted that so far as his instruction goes, the respondents do not have any scheme for appointment of brother of the deceased government servant in the present facts and circumstances.

Having regard to the aforesaid materials available on the record and the submissions of learned counsel for the respondents, this Court finds that the petitioner is unable to make out a case for issuance of a writ in the nature of a Writ of Mandamus to the respondents.

This writ application is, therefore, dismissed.

**(Rajeev Ranjan Prasad, J)**

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