

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4892 of 2023

Abul Hasan Son of Md. Shamshad, Resident of Village- Murblla, Ward No.2,
P.O.- Hariya Bara, P.S.- Araria R.S., District- Araria, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through Secretary, Road Construction Department Govt. of Bihar, Patna.
2. The Engineer-in-Chief, Road Construction Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Simanchal Sub-Division, Road Construction Department, Patna.
4. The Compassionate Appointment Committee, through District Magistrate, Araria.
5. The Superintending Engineer, Road Ancha, Road Construction Deptt. Purnea.
6. The Executive Engineer, Road Division, Road Construction Deptt., Araria.

... .. Respondents

Appearance :

For the Petitioner/s : Ms. Kumari Anjani Sinha, Advocate
For the Respondent/s : Mr. Amrit Anand, AC to GA-13

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

On 26.04.2023, this matter was passed over at the
instance of learned counsel for the petitioner. This Court,
however, recorded the submissions advanced on behalf of the
State which are being reproduced hereunder for a ready
reference:-

“This Court has been informed by learned
counsel for the State that in this case, the
petitioner is the nephew of the deceased
government employee. In his affidavit
contained in Annexure ‘2’, the deceased
employee has categorically stated that his first



wife has died and he has no concern with his second wife and his son from the second wife.

Learned counsel submits that the appointment on compassionate ground is not a mode of appointment so as to provide job to the nephew of the deceased government servant. The purpose of compassionate appointment is to provide immediate succor to the family of the deceased government employee. In this case, his family is not coming to this Court for getting any relief.”

Today, once again, learned counsel for the petitioner seeks an adjournment but no plausible reason for seeking an adjournment has been shown to this Court.

Learned counsel is unable to controvert the submissions advanced on behalf of the State which form part of the order dated 26.04.2023.

In such circumstance where the petitioner has failed to make out a case for direction to the respondents to consider his case for appointment on compassionate ground, no writ may be issued.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

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