

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20643 of 2014

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Kunal Kumar S/o Late Alakhdeo Rai Resident of village - Kashthara
Wajitpur, P.O. P.S. - Vidyapati Nagar, Distt. - Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector Cum - Chairman District Compassionate Committee
Muzaffarpur
3. S.P. BMP 6 Muzaffarpur
4. The Commandant, BMP 6 Muzaffarpur
5. District Establishment Addl Collector Muzaffarpur
6. The Officer Superintendent General Muzaffarpur
7. Dy. S.P. BMP 6 Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy
For the Respondent/s : Mr. Md. Faiz Ahmed, AC to GP-14

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 01-02-2023 Heard learned counsel for the parties concerned.

2. The present writ application has been filed for direction to respondents to appoint the petitioner as Constable on compassionate ground as father of the petitioner died on 17.04.2011 in harness while posted as Hawaldar in BMP-6, Muzaffarpur.

3. Learned counsel for the State referring to the supplementary counter affidavit submits that the District Compassionate Appointment Committee recommended the name of the petitioner for appointment on the Group-D post



having Grade Pay 1800 on 26.03.2013. Thereafter, the Commandant, BMP-6, Muzaffarpur *vide* letter No. 5192/RO dated 30.11.2013 requested the District Compassionate Appointment Committee to return the original documents of the petitioner for processing his appointment on compassionate basis.

4. The petitioner did not appear before the Commandant, BMP-6, Muzaffarpur with relevant documents for further process in respect of his appointment on compassionate ground, but filed another application for compassionate appointment on the basis of certificate of *Up-Shastri* for appointment on Constable, which was rejected by the District Compassionate Appointment Committee in its meeting dated 11.02.2014.

5. The Commandant, BMP-6, Muzaffarpur, thereafter, *vide* its letter as contained in Memo No. 2656 dated 18.12.2014 requested the petitioner to appear immediately alongwith original certificates if he was willing to be appointed in Grade Pay 1800, but the petitioner neither responded to the said letter nor appeared before the Commandant, BMP-6 alongwith documents.

6. Learned counsel for the petitioner is not in a



position to controvert aforesaid facts.

7. In view of the fact that the petitioner did not respond to the offer of appointment made by the authorities and more than eight years have now been passed, no relief can be granted to the petitioner in this writ petition.

8. Accordingly, this application is dismissed.

(Anil Kumar Sinha, J)

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