

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18936 of 2013

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1. Vikram Kumar Ray S/O Late Bhuvneshwar Prasad Ray R/O- Ward No. 8,
P.O. P.S.- Araria, District- Araria
 2. Santosh Kumar Singh S/O Late Yammuna Prasad Singh R/O- Village Post-
Nawabganj, P.S.- Manihari, District- Katihar
 3. Ravi Prakash S/O Late Awdhesh Kumar Srivastava R/O- Village P.O.-
Madhubani, P.S.- K. Hat, District- Purnia ... Petitioner

Versus

1. The State Of Bihar
 2. The Principal Secretary, Department Of General Administrative, Govt. Of
Bihar, Patna
 3. The District Magistrate Cum Chairman, District Compassionate Committee
Araria
 4. The Dy. Development Commissioner, Araria
 5. The Addl. Collector, Araria
 6. Sub Division Officer, Araria
 7. Sub Division Officer, Farwisganj
 8. District Welfare Officer, Araria
 9. District Establishment Dy. Collector, Araria ... Respondents
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Appearance :

For the Petitioner/s : Ms Rashmi Ranjan, Adv.
For the Respondent/s : Mr.Sunil Kr. Mandal, SC III

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 06-02-2023 Heard the parties.

During the pendency of this writ petition the petitioner has been granted appointment on compassionate ground on Class IV post although the petitioner has prayed in the petition for claiming Class III post. However, this Court has already held in the judgment passed by the Supreme Court in **State of Rajasthan Vrs. Umrao Singh**, reported in (1994) 6 SCC 560, as under :



“8. Admittedly the respondent's father died in harness while working as Sub-Inspector, C.I.D. (Special Branch) on 16.3.1988. The respondent filed an application on 8.4.1988 for his appointment on compassionate ground as Sub-Inspector or L.D.C. according to the availability of vacancy. On a consideration of his plea, he was appointed to the post of L.D.C. by order dated 14.12.1989. He accepted the appointment as L.D.C. Therefore, the right to be considered for the appointment on compassionate ground was consummated. No further consideration on compassionate ground would ever arise. Otherwise, it would be a case of 'endless compassion'. Eligibility to be appointed as Sub-Inspector of Police is one thing, the process of selection is yet another thing. Merely because of the so-called eligibility, the learned Single Judge of the High court was persuaded to the view that direction be issued under proviso to Rule 5 of Rules which has no application to the facts of this case.”

No person has a right to claim against a particular post on compassionate ground.

Keeping in view thereto, the Court is satisfied that the relief has already been granted. In view thereof no further orders are required to be passed.

The petition is disposed of accordingly.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 66

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