

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21192 of 2013

Most. Sarswati Devi Wife Of Late Ravindra Kumar Singh Resident Of
Village P.O. Boariya P.S. Surai, District Vaishali Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government Of Bihar, Patna
2. The D.G. Cum I.G. Of Police, Bihar, Patna
3. The Addl. D.G., B.M.P. Bihar, Patna
4. The D.I.G. Of Police, B.M.P. Central Zone, Patna
5. The Commandant, B.M.P. 3 Bodh Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Prabhakar Jha, GP XXVII

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

ORAL ORDER

- 2 02-02-2023 The petitioner by way of this writ petition claims compassionate appointment for her son as Bal Arakshi on account of the death of her husband who was holding post of Havildar with the Bihar Police. The petitioner has stated in the writ petition that Havildar, Ravindra Kumar Singh, married one Devamanti Devi from whom he had three daughters, whereafter he married the petitioner and has two daughters and two sons from her. Her husband died while in service and the pension was released in favour of Devamanti Devi who has submitted an affidavit that she has no objection if the petitioner's son is offered compassionate appointment.



Claim of the petitioner is found to be wholly misconceived. A lady who married knowingly that the groom already has a living spouse, has no legal rights available to her as wife. She can not claim herself to be a legally wedded wife in terms of Hindu Marriage Act 1955. The children begotten from such arrangement, may claim inheritance rights under the Hindu Succession Act. However, for the purpose of compassionate appointment the Government would not allow to recognize such second marriage or child begot from such affairs.

In view thereof, the claim of the petitioner is not admissible and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 52

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