

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17588 of 2014

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Laxuman Singh @ Laxuman Yadav son of Late Ganesh Singh @ Ganesh Yadav, resident of village- Semari, Police Station, Dawath, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Rohtas at Sasaram.
2. The Senior Deputy Collector (General Section), Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas, At- Dehri-On-Sone, District Rohtas at Sasaram.
4. The Sub Divisional Officer, Bikramganj, Police Station- Dawath, District Rohtas
5. The Station House Officer, Dawath, Police Station- Dawath.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh
For the Respondent/s : Mr. Rajiv Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-01-2023 This application has been filed by petitioner for issuance of an appropriate writ, commanding the respondents to appoint the petitioner on compassionate ground as his father working as a Chaukidar, died in harness on 17.08.1996 leaving behind his wife and three minor sons including this petitioner.

It is submitted that the father of the petitioner died in harness while working as chaukidar on 17.08.1996, and petitioner at the relevant time was minor. The petitioner, after attaining the age of 18 years, applied for his appointment on compassionate ground on 17.07.2009 but the respondent No. 2, vide Annexure 2 to this petition rejected the same on the ground of delay.

From perusal of annexure 2, it is apparent that the application for compassionate appointment was filed much after the required period of 5 years.



It is settled law that compassionate is not right, it is a process of appointment contrary to mandate of Article 14 of the constitution and it is required to be given in Exceptional Circumstances and in accordance with this scheme.

The aim and object of the compassionate appointment is to give immediate financial relief to the needy family. Compassionate appointment can not be given after a long period. In this case, father of petitioner died on 17.08.1996 and application for compassionate appointment was made on 17.07.2009 after more than 12 years. Compassionate appointment is not a form of reservation to be claimed as a matter of right.

In the aforesaid facts and circumstances of this case, the claim of the petitioner for compassionate appointment has been rightly rejected by this court. This court does not find any illegality in the impugned order.

This writ petition is, accordingly dismissed.

(Prabhat Kumar Singh, J)

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