

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14171 of 2024

Abhishek Kumar Singh S/o Late Brij Kishor Singh, Resident of Mohalla-Azad Nagar, Road No.- 2, besides Shakti Upasana Kendra, P.O.- Lohiya Nagar, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Railways, Govt. of India, New Delhi.
2. The Director General, Railway Protection Force, Rail Bhawan, Railway Board, New Delhi.
3. The Chief Security Commissioner, Railway Protection Force, Eastern Railway, Kolkata, Bengal.
4. The Chief Secretary Commissioner, Railway Protection Force, East Central Railway, Hazipur, Bihar,
5. The Senior Divisional Security Commissioner, Railway Protection Force, East Central Railway Mughalsarai (Pandit Din Dayal Upadhyay Nagar) Uttar Pradesh.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Md. Jubair Ansari, Adv Mr. Sushma Pandey, Adv
For the Respondent/s	:	Mr. Deepak Kumar, Adv Mrs. Parul Prasad, Adv, C.G.C. Mr. Shailesh Anand, Adv

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2024 Heard Learned Counsel for the petitioner and
Learned Counsel for the Union of India.

2. The present application has been filed for directing the respondent authority to appoint the petitioner on the compassionate ground on any Group-C post or otherwise appoint the petitioner on the post of Constable on the ground of death in harness of his father.

3. Learned Counsel for the petitioner submits that



father of the petitioner was head constable in R.P.F Post, Navinagar, ECR Railway DDU and he was suffering from Brain Tumor since 15 years while he was in service. He further submits that petitioner's father was superannuated on 31.12.2015 and father of the petitioner has died on 24.03.2016. Counsel further submits that petitioner has no means of livelihood. Therefore, he has filed an application for compassionate appointment in the month of January, 2024 to the authorities concerned. In this regard, petitioner relied on a Master Circular No. 16 which is annexed as Annexure P/4 of the writ petition.

4. Learned Counsel for Union of India submits that it is a unique case in which demand of compassionate appointment has been made after the superannuation of the petitioner's father.

5. Upon query made by this Hon'ble Court to the learned counsel for the petitioner that when petitioner has filed the representation, he submits that representation has been filed in the year 2024.

6. In the light of the submissions made, it transpires to this Court that the petitioner's father admittedly, superannuated on 31.12.2015 and after superannuation, he died on 24.03.2016.



Thereafter, eight years have lapsed and then petitioner has filed petition for compassionate appointment. As such, this Court is of the firm view that it is a frivolous petition. Accordingly, the present writ application stands dismissed.

(Dr. Anshuman, J)

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