

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18090 of 2024

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Jay Kumar Ram Son of Late Bisheshwar Ram Resident of Village- Baraki Kothia, Police Station- Buxar (I), District- Buxar, Mobile No.- 8340501565, 7667640185.

... .. Petitioner

Versus

1. The Union of India through Divisional Railway Manager, (D.R.M.), Eastern Railway, Danapur (Bihar).
2. The Divisional Railway Manager, (D.R.M.), Eastern Railway, Danapur (Bihar).
3. Rahul Kumar, Son of Late Bisheshwar Ram Resident of Village- Baraki Kothia, Police Station- Buxar (I), District- Buxar.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Gopal Govind Mishra, Advocate
For the Respondents	:	Mr. Mohit Agarwal, CGC

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

2 02-12-2024 The petitioner is aggrieved by the appointment of respondent No. 3 in Grade- 4 Post in the office of respondent No. 2 / The Divisional Railway Manager, (D.R.M.), Eastern Railway, Danapur, on account of death of the father of petitioner as well as of respondent No. 3, who died on 01.02.2020 while working as Track Man in Eastern Railway, Danapur.

2. The respondent No. 3 is stated to be the son of the deceased, Late Bisheshwar Ram and younger brother of the petitioner.

3. The petitioner has not pleaded in the writ petition under which law for appointment on compassionate ground he



should be appointed and not the respondent No. 3. Nor he has enclosed any rule(s)/regulation(s)/scheme/notification issued by the Government for appointment on compassionate ground.

4. Under the circumstances, no effective adjudication can be made by this Court as to who would be entitled to appointment on compassionate ground, whether it is the petitioner or respondent No. 3, on account of death of their father in harness.

5. In that view of the matter this writ petition is hereby disposed off with a liberty to the petitioner to file a fresh writ petition, if so advised, enclosing the rule(s)/regulation(s)/scheme/notification issued by the Government for compassionate appointment in the office of respondent No. 2.

(Nani Tagia, J)

Siddharth
Sagar/-

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