

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17648 of 2018

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Anil Kumar Paswan Son of Late Arjun Paswan, Resident of Village-
Kantakosh, P.O.- Katakus, P.S.- Manihari, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The District Magistrate (D.M.) District- Katihar.
3. The Superintendent of Police (S.P.) District- Katihar.
4. The Sub-Divisional Officer (S.D.O.), Katihar.
5. The Circle Officer (C.O.) Manihari, District- Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kamlesh Kumar Pathak, Advocate Mr. Sanjay Kumar Mandal, Advocate Mr. Kundan Prasad Singh, Advocate
For the Respondent/s	:	Mr. P.K. Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application for
the following relief(s):-

*“1. (i) For that the writ in the nature of Mandamus or any other appropriate writs, Commanding the petitioner with prayer from Hon'ble Court to direction the Respondents to Compassionate Appointment on the post of "Chowkidar" on the basis of his father he was earlier appointed on the post of same "Chowkidar" subsequently he was died in harness on 13.12.18 during the period of service.
(ii) To grant any other relief or reliefs for which the petitioner is entitled from the facts and circumstances of the case.”*



3. The case of the petitioner in brief is that the father of the petitioner namely Arjun Paswan who was appointed as *Chowkidar* under Manihari Police Station died in harness on 13.12.2007. He died leaving behind three sons and two daughters including the petitioner herein.

4. It is the case of the petitioner that he applied for appointment on compassionate ground in place of his father, however not having been appointed, has filed the instant application for the reliefs prayed for as stated herein above.

5. In response, it is submitted by learned counsel for the respondents in their counter affidavit that the father of the petitioner died while in service as *Chowkidar* under Manihari Police Station on 13.12.2007. The petitioner who happens to be the eldest son in the family was 11 years old at the time of his father's death. He applied for compassionate appointment more than 8 years after the death on 9.8.2016. Thus the District Compassionate Committee having considered the case of the petitioner rightly rejected his application for appointment on compassionate ground.

6. Having heard learned counsel for the parties and having perused the contents of the petition, it transpires that while death of the father of the petitioner took place on



13.12.2007, the application for compassionate appointment was made only on 9.8.2016 ie more than 8 years later. It further transpires that the petitioner being a 11 years old minor at the time of his father's death could have filed the application not beyond the period of 5 years from the death. The application for appointment on compassionate ground having been made after 8 years of the death, the District Compassionate Committee rightly rejected the application for appointment on compassionate ground filed by the petitioner.

7. The Court finds no merit in the instant writ application and the same is dismissed.

(Partha Sarthy, J)

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