

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.275 of 2023

In
Civil Writ Jurisdiction Case No.3080 of 2021

=====

Jitendra Prasad S/o Late Kameshwar Prasad Sinha, Adopted Son of Late Kaushalaya Devi, W/o Late Gopal Lal, Resident of Village- Madan Bigha, P.O.-Meera Bigha, P.s.-Chandauti, District-gaya.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director in Chief, Health Services, Bihar, Patna.
4. The District Magistrate Gaya.
5. The Civil Surgeon-cum- Chief Medical Officer Gaya
6. The Establishment Deputy Collector Gaya.
7. The Medical Officer Primary Health Centre, Atri, P.S.- Chandauti, District-Gaya.

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Arvind Kumar Sinha, Advocate
For the Respondent/s	:	Mr. S.D. Yadav, AAG-9
		Mr. Braj Bhushan Mishra, AC to AAG-9

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 04-03-2025

Re: I.A. No. 1 of 2023

This is an application seeking condonation of delay of 305 days in preferring this appeal.

2. For the reasons stated in the application, the delay of 305 days in preferring this appeal is condoned.



3. I.A. No. 1 of 2023 stands allowed.

Re: L.P.A. No. 275 of 2023

4. The appellant has questioned the judgment dated 03.03.2022 passed by a learned Single Judge in CWJC No.3080 of 2021 whereby the request of the appellant for issuance of a direction to the respondents to consider him for appointment on compassionate ground has been rejected.

5. The adoptive mother of the appellant died some times in 2006 in harness. The appellant applied for being considered for compassionate appointment after four years i.e. within the maximum period of time when such an application could be made. However, the same was not considered, forcing the petitioner to approach this Court some times in the year 2012. However later, the respondent authorities decided that he could not be considered for being appointed on compassionate ground, which order was



challenged very belatedly.

6. The learned Single Judge, after relying on several decisions of the Supreme Court with respect to delay and laches in preferring suitable application for compassionate appointment, rejected the writ petition of the appellant, taking into account the fact that the death of the mother of the appellant took place in 2006 and the appellant had been able to tide over the financial difficulties for all these years.

7. We do not find it to be a suitable case where any interference could be made with the judgment of the learned Single Judge.

8. There is no merit in this appeal. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Bibhash/Rajesh

U			
---	--	--	--

