

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8840 of 2019

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Mahesh Kumar Singh, Son of Late Bindeshwar Singh, R/o Village- Batlohia,
P.S.- Pandaul, District- Madhubani, at present residing at Pandaul Market,
under Pandaul, Police Station, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Sugarcane Corporation Limited, Industry Department, Patna
2. The Collector Madhubani
3. The General Manager of Sugar Mill Unit Sakri, P.S. Sakri District- Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Singh
For the Respondent/s : Mr. Suresh Kumar, AC to GP- 1

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 30-04-2025

Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondents to consider the claim of the petitioner for appointment on compassionate ground and extend all the consequential benefits.

3. Learned Advocate for the State at the outset made objection to the prayer and submitted that the father of the petitioner died in harness in the year 1994 itself and, as such, more than thirty years have been elapsed and in no circumstances, the claim of the petitioner could be considered for compassionate appointment.



4. This Court finds substance in the submission of the learned Advocate for the State. The very object of the compassionate appointment to give immediate succor to the bereft family, whose bread earner died leaving the family in penury. Time without number, the Apex Court in catena of decisions ruled that the very provision for compassionate appointment is an exception to Articles 14 and 16 of the Constitution of India and apart from the fact that it is duly governed by the Guidelines and the Rules specifically issued by the concerned department. In no circumstances, the belated claim of the dependent of the deceased employee can be considered for compassionate appointment.

5. This Court does not find any substance in the writ petition. Accordingly, the same stands dismissed.

(Harish Kumar, J)

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