

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8866 of 2019

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Nirma Kumari @ Nirma Devi Wife of Shatrudhan Ram, Resident of Village/Mohalla- Near Kanya School, Ward No. 15, Rafipur, District-Siwan(Bihar), 841286.

... .. Petitioner/s

Versus

1. The Chairman, Patna Municipal Corporation Patna
2. The Chief Executive Officer, Patna Municipal Corporation, Patna.
3. The Chief Accounts Officer, Patna Municipal Corporation, Patna.
4. The Executive Officer, Nutan Rajdhani Anchal, Patna Municipal Corporation, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Adv.
For the Respondent/s : Mr. Yashraj Bardhan, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 07-05-2025

Heard Mr. Manoj Kumar Singh, learned Advocate for the petitioner and Mr. Yashraj Bardhan, learned Advocate for the Patna Municipal Corporation.

2. The petitioner has approached this Court seeking a direction upon the respondents Corporation to appoint her on compassionate ground against any of the suitable post in view of death of the petitioner's mother-in-law as also the fact that there is none in the family to look after them and the entire liability fell upon the petitioner.

3. Learned Advocate for the petitioner referring to the averments made in the writ petition has contended that while the mother-in-law of the petitioner was serving the Patna Municipal Corporation, New Capital Circle, Patna, in the meanwhile, she



died in harness on 23.06.2014, leaving behind her only son and two unmarried daughters as well as two married daughters, particulars of which have been disclosed in paragraph-5 of the writ petition. It is further contended that since the son of the deceased namely, Shatrudhan Ram is physically and mentally unable to perform any duty, hence with the permission of the family members, the petitioner filed a representation along with all the necessary papers for her appointment on compassionate ground. The representation of the petitioner is placed on record as Annexure-5; the representation of the petitioner is pending since long before the Executive Officer, Patna Municipal Corporation but till date it has not been considered and disposed off.

4. Learned Advocate for the Patna Municipal Corporation has submitted that apart from the fact the petitioner is daughter-in-law of the deceased, who died in harness long back in the year 2014, the application which is placed on record does not bear its receipt; moreover the very object of the compassionate appointment is to give immediate succor to the bereft family, whose bread earner died in harness, leaving behind the entire family in penury. Since the petitioner and other family members have survived for more than a decade, there is



no reason or occasion to say “goodbye” to the normal rule of appointment and to consider the claim of the petitioner for appointment on compassionate ground which would frustrate the very object of compassionate appointment.

5. Considering the submissions advanced and the fact that the petitioner had already filed an application before the Executive Officer, Patna Municipal Corporation on 08.12.2017, as has been stated in paragraph-12 of the writ petition, this Court, in order to give quietus to the litigation, deems it fit and proper to dispose of the writ petition with a direction to the Executive Officer, Patna Municipal Corporation to consider the application of the petitioner, as contained in Annexure-5, and dispose of the same by speaking order, preferably within a period of 12 weeks from the date of receipt/production of a copy of this order.

6. The writ petition stands disposed of with the aforesaid observations and directions.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	09.05.2025
Transmission Date	

