

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16732 of 2013

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Sanjeet Kumar S/O Late Tilku Ram Resident Of P.M.C.H. Campus, P.O.-
Bankipur, P.S.- Pirbahore, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors Old Secretariat Building, Patna
2. The Commissioner Cum Chief Executive Officer, Patna Municipal Corporation, Patna
3. The Assistant Health Officer, Bankipur Circle, Patna Municipal Corporation, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lalan Kumar Singh, Advocate
For the State	:	Mr. Raghwendra Kumar, SC 22
		Mr. Ravi Ranjan, AC to SC 22
For the PMC	:	Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

5 18-08-2025 Heard learned counsel for the petitioner, learned counsel appearing for Patna Municipal Corporation and learned counsel for the respondent-State.

2. The petitioner in the present writ application has prayed for issuance of an appropriate writ or direction commanding the respondents to consider and grant the compassionate appointment to the petitioner, in light of the recommendation when the police verification of/ enquiry, as per the petitioner has already been done on 29.08.2001 in compliance of the letter no. 1025 dated 18.08.2001.

3. During the course of argument, learned counsel appearing for Patna Municipal Corporation has drawn the



attention of this Court to Paragraph No. 5 of the counter affidavit filed by the Patna Municipal Corporation which states as follows:

That it is stated that after getting roaster clearance, the case of the petitioner for his appointment on compassionate ground in place of his mother Late Phool Kumari was considered by the Establishment cum Compassionate Committee of Patna Municipal Corporation on 13.09.2014 whereby and whereunder the establishment cum Compassionate Committee rejected the application of the petitioner on the ground that after more than 13 years the petitioner has not submitted the unemployment certificate and succession certificate in the office.

4. Learned counsel appearing for Patna Municipal Corporation therefore submits that since the representation of the petitioner for compassionate appointment has already been rejected on 13.09.2014 and the petitioner has not chosen to challenge the same during the next one decade thereafter, therefore, the present writ application has become infructuous and meaningless and hence it should be dismissed.

5. It is not indispute that during the pendency of the present writ application, the claim of the petitioner for



compassionate appointment was considered by the Patna Municipal Corporation was considered by the Establishment cum Compassionate Committee of Patna Municipal Corporation and on 13.09.2014 (Annexure- A) the claim of the petitioner was rejected on the ground as stated in the said order. It is further not indispute that although this order was passed on 13.09.2014, the petitioner did not chose to challenge this order during more than a decade of pendency of the present writ application. Given the fact that the claim for compassionate appointment has already been rejected, the relief which is being claimed by the petitioner in the present writ application has become infructuous and cannot be granted and hence, the present writ application is, accordingly, dismissed.

(Alok Kumar Sinha, J)

Raj Ranjan/-

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