

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.769 of 2023

In
Civil Writ Jurisdiction Case No.14717 of 2021

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Surji Kumari @ Surji Devi W/o Kanhai Choudhary and D/o Late Bharat Choudhry, Resident of Mohalla - Maliya Mahadeo, Jalla Road, P.O. - Gulzarbagh, P.S. Alamganj, Patna City, District - Patna, Pin - 800007.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary of Urban Department, Govt. of Bihar.
2. The Urban Development Commissioner of Patna Municipal Corporation, Maurya Lok, Patna.
3. Commissioner, Patna Municipal Corporation, Maurya Lok, Patna.
4. The Chief Administrative Officer of Patna Municipal Corporation, Maurya Lok, Patna.
5. The Executive Officer, Patna Municipal Corporation, Azimabad, Patna City Circle, Meena Bazar, Patna City, P.O. - Gulzarbagh, P.S. - Alamganj, District - Patna, 800007.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Arvind Kumar, Advocate Mr. Shahabuddin Azeem, Advocate Mr. Akshay Lal Pandit, Advocate Mrs. Pratima Kumari, Advocate
For the State	:	Mr. Yogendra Pd. Sinha, AAG-7 Mr. Rajeev Kr. Sinha, AC to AAG-7
for the PMC	:	Mr. Ranjeet Kr. Pandey, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

6 09-04-2025

Re.- I.A. No. 1 of 2023

The learned Advocate for the appellant/
applicant presses I.A. No. 1 of 2023 for condoning the
delay of five months and six days in preferring this



appeal.

2. For the reasons stated in the application, the delay of five months and six days in preferring this appeal is condoned.

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

Re : LPA No. 769 of 2023

4. The father of the appellant, while serving as Gangman Coolie with the respondent/ Corporation died on 22.08.2004. His wife (mother of the appellant) had applied for being granted compassionate appointment 11 years thereafter on 30.01.2015.

5. There does not appear to be any averment in the writ petition or in the impugned order with respect to the fact whether or not the mother of the appellant was granted compassionate appointment.

6. Be that as it may, the mother of the appellant also passed away on 22.05.2019.

7. The appellant approached this Court for a direction to the respondent/Corporation for giving



compassionate appointment to her sometimes in August 2021.

8. For such delay in approaching the Court, the writ petition was not entertained and was dismissed.

9. Needless to state here that compassionate appointment has not to be treated as akin to any backdoor appointment and it is only meant for providing succour to the family in immediate distress.

10. The death of the employee took place sometimes in the year 2004.

11. There is no reason for us to interfere with the judgment of the learned Single Judge whereby the prayer made on behalf of the appellant was rejected.

12. There is no merit in this appeal.

13. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Anjani Kumar Sharan, J)

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