

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.821 of 2023
In
Civil Writ Jurisdiction Case No.16185 of 2012

=====

Shashi Bhushan Kumar Son of Late Ram Diwas Sinha Resident of Village -
Sarkuna, Post Bharatpura, P.S. Dulhin Bazar, District - Patna, Presently
Posted As Accounts Clerk, Waster Resources Department Design Division
No.1, Anishabad, Patna. Appellant/s

Versus

1. The State of Bihar
2. The Finance Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Government of Bihar,
Patna.
4. The Enginner-In-Chief-Cum- Additional Secretary-Cum- Special Secretary,
Water Resources Department, Government of Bihar, Patna.
5. The Chief Enginner, Water Resources Department, of Bihar, Patna.
6. The Superintending Engineer, Water Resources Department Design,
Planning And Monitoring Circle, Anishabad, Patna.
7. The Executive Engineer, Water Resources Department, Design Division No.
1, Anishabad, Patna.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Narendra Kumar, Adv
For the Respondent/s : Mr. Anjani Kumar, AAG-4

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 16-09-2025 The appellant has assailed the impugned order dated
17.05.2023 passed in CWJC No. 6277 of 2020.

2. Core issue involved in the present *lis* is whether the
appellant is entitled to appointment on compassionate ground to
the post of Accounts Clerk or Junior Accounts Clerk. He has
been appointed as a Junior Accounts Clerk on 12.11.1999. On
the other hand, his grievance is that he is entitled to the post of
Accounts Clerk. Firstly, the appellant has not assailed the order



of appointment dated 12.11.1999 to the post of Junior Accounts Clerk with protest or condition to the extent that after joining the post of Junior Accounts Clerk could have challenged the same. On the other hand, he has accepted the order of appointment to the post of Junior Accounts Clerk.

3. That apart compassionate appointment would not provide any right to a particular post. It is social legislation of the State, therefore, compassionate appointment would depend upon the availability of post. As on 12.11.1999 the petitioner was accommodated against the post of Junior Accounts Clerk. Therefore, the appellant is not entitled to the post of Accounts Clerk for merely asking for such post, accordingly, we do not interfere with the order of the learned Single Judge dated 17.05.2023 passed in CWJC No. 6277 of 2020.

4. LPA is dismissed.

5. Pending interlocutory application(s), if any, stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Jyoti/-

U			
---	--	--	--

