

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15152 of 2025

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Saiyad Sarvar Husain S/o Saiyad Imamuddin, R/o Village- Chausa, P.S.-
Buxar Muffasil, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Water Resources Department, Government of Bihar, Patna.
4. The Executive Engineer (Mechanical) Irrigation electrical-cum-Mechanical Division, Balmi, Patna.
5. Gulam Kadir, S/o Late Saiyad Imamuddin, R/o Village- Chausa, P.S.- Buxar Muffasil, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate
For the Respondent/s : Mr. Government Pleader (17)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 03-11-2025

Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following reliefs:

*“I. For direction to the
respondent concerned to appoint the
petitioner on the basis of compassionate*



ground as his father died in harness and during his life time he had given consent in favor of the petitioner.

II. For direction to the respondent concerned to cancel the appointment, if any, of the respondent no.5, if he has been appointed on the basis of compassionate ground.

III. For any other relief/reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

3. Though the petitioner has prayed for appointment on compassionate ground in place of his father who died in harness on 5.3.2021 while working as a helper in the Pump Nahar Irrigation Department at Chausa, however, on perusal of the contents of the petition, it transpires that on an application filed on earlier occasion, the full brother of the petitioner, who happens to be respondent no. 5 herein, has already been appointed on compassionate ground.

4. From the contents of the petition, it transpires that the instant application arises out of dispute between two brothers i.e. the petitioner and respondent no. 5. In the opinion of the Court, the same cannot be a subject matter of a writ application. The remedy before the petitioner will be to file an appropriate suit etc for the prayer made herein.



5. In view of the above, the Court finds no merit in the instant application and the application is dismissed.

(Partha Sarthy, J)

sauroavkrsinha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	4.11.2025
Transmission Date	NA

