

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18923 of 2019

Md. Bilal Khan, S/o Md. Gulfam @ Md. Gulfam Khan, R/o Village Faridabad, P.O. Arwal, P.S. Arwal, District Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary Department of House, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary General Administrative Department, Govt. of Bihar.
4. The Director General of Police, Bihar, Old Secretariat, Patna.
5. The Joint Secretary, General Administrative Department, Govt. of Bihar, Patna.
6. The Inspector General of Police (Welfare), Bihar, Patna.
7. The Assistant Inspector General Police (Welfare), Bihar, Patna.
8. The Superintendent of Police, Home Guard, Patna.
9. The Deputy Collector Establishment, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.
For the Respondent/s : Mrs. Divya Verma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 02-07-2025 Heard the parties.

2. The petitioner is aggrieved with the order as contained in Memo No. 961 dated 12.7.2019 to the extent it relates to the petitioner whereby, the claim of the petitioner for appointment on compassionate ground came to be rejected, on account of other dependent being gainfully employed.

3. Learned Advocate for the petitioner made various submissions in order to assail the impugned order, apart from the submissions that the gainfully employed son has been residing separately, even before the death of the deceased



employee, hence in no circumstances, the grounds for rejection is sustainable.

4. Learned Advocate for the State referring to the counter affidavit has informed this Court that in course of consideration it has come to the knowledge of the District Compassionate Appointment Committee that two sons of the *Late Md. Gulfam @ Md. Gulfam Khan* (deceased employee) have already been employed in government service and thus gainfully employed.

5. In view of the aforesaid fact, the District Compassionate Appointment Committee in terms with Letter No. 15783 dated 19.11.2014, issued by the General Administration Department, Bihar, Patna rejected the claim of the petitioner. The aforementioned clarificatory letter also came up for consideration before the Full Bench of this Court in the case of *Niraj Kumar Mallick & Ors. Vs. The State of Bihar & Ors.*, **2018 (2) PLJR 951**, wherein the Court while holding the validity of the letter dated 19.11.2014, has crystallized the issue that in case any of the dependent of the deceased government employee is gainfully employed, whether he is living with their dependents or residing separately, the benefit of compassionate appointment cannot be extended.



6. In view of the settled proposition, this Court finds no merit in the writ petition. Accordingly, the present writ petition stands dismissed.

(Harish Kumar, J)

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