

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11207 of 2023

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1. Nagendra Kumar Yadav Son of Late Sanchit Lal Yadav, Resident of Village-Pilachak, P.O.- Ainkha, P.S.- Dulhin Bazar, District- Patna.
 2. Govind Kumar Son of Late Ram Bharat Ram, Resident of Godhna Road, Bngla Colony, Ara, P.O.- Aanaith, P.S.- Nawada Ara, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Union of India Through the Principal Secretary, Ministry of Home Affairs, North Block, Central Secretariat, New Delhi- 110001.
2. The Directorate General, Central Reserve Police Force (CRPF), Block No. 1, C.G.O. Complex, Lodhi Road, New Delhi- 110003.
3. The Deputy Inspector General, Recruitment Directorate, Central Reserve Police Force (CRPF), Block No. 7 Level, C.R.P.F. East-4, Sector 1, R. K. Puram, New Delhi-110066.
4. The Deputy Inspector General, Group Kendra, Central Reserve Police Force (CRPF), Mokama Ghat, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shankar Paswan, Advocate Mr. Shubham Samrat, Advocate
For the Respondent/s	:	Additional Solicitor General

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-05-2026 Heard learned counsel for the parties.

2. The petitioners have filed the instant application for the following relief (s) :-

“1. That, this writ petition is for issuance of an appropriate writ/writs in nature of MANDAMUS for commanding and directing respondents to consider and issue letter of appointment in their favour at par with their counterparts in terms of their selection against post of Hawaldaar with reference to compassionate appointment through Special



Recruitment Drive taking note of facts that similarly situated persons were considered apart of 7 others, who were not participants under selection process, which attracts requirements of natural justice, Right of Equity and hostile discrimination with them instance of the man, who accommodated his henchmen and frustrates aim and object of selection process and further prayer to consider, grants same and similar treatment as their counterparts and maintain equity, which is theme of Constitution and for other necessary relief/reliefs to the basis of facts and circumstances of case, enumerated, stated and described hereafter.”

3. The case of the petitioner no.1 is that his father Late Sanchit Lal Yadav, SI/GD who was working in the Central Reserve Police Force (CRPF) died in harness on 5.8.2020.

4. Consequent to his death, the petitioner no.1 applied for his appointment on compassionate ground and in the assessment test conducted by the CRPF under the special recruitment drive for the post of HC/Min held at GC CRPF Mokamaghat on 25.7.2022, the petitioner no.1 qualified in the 1st phase of assessment test.

5. The father of petitioner no.2 namely Late Ram Bharat Ram died of respiratory failure while in service in 134 Bn of the CRPF on 31.5.2020.



6. The petitioner no.2 filed an application for his appointment on compassionate ground and qualified in the 1st phase of assessment test conducted by the CRPF at Mokamaghat on 25.7.2022.

7. Though the petitioners qualified in the tests conducted, the respondents came out with letter dated 17.5.2023 enclosed with counter affidavit stating therein that in the Special Recruitment Drive, 2021, on the basis of the merit list prepared after the written examination of the candidates found medically fit, 43 vacancies of compassionate appointments for the post of HC/Min has been released. The remaining candidates who have qualified the typing test/written examination and have found to be medically fit could not be adjusted due to non-availability of vacancies under the compassionate appointment.

8. Accordingly giving information to the petitioners as also other candidates, they were given the liberty to apply for another vacant post as per their eligibility.

9. It is the case of the petitioners that subsequent to the communication as contained in letter dated 17.5.2023, the petitioners filed their application/representation before the respondent authorities, one of the representation having been brought on record.



10. In view of the facts and circumstances of the case, the writ application is disposed of directing the petitioners to take steps by filing separate/individual application/representation in view of the letter/communication dated 17.5.2023 enclosed with the counter affidavit filed on behalf of the respondents.

11. On filing of the fresh representation along with copy of the order, the respondent authorities shall decide the same separately/individually in accordance with law at the earliest preferably within a period of three months from the date of its filing and shall communicate the result thereof to the petitioners forthwith.

12. The writ application stands disposed of.

(Partha Sarthy, J)

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