

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.61 of 2022

Ajay Kumar Routh Son of Late Lalan Routh, Permanent Resident of Near Siliguri, Hope Foundation Devidanga, Kalabari Road, P.O. -Champasari, P.S. Pnadhan Nagar, Dist. . Darjiling, PIN . 734003, West Bengal. Presently Residing at Quarter No. A/3 Oil Housing Colony Near Jubilee Dhaba, P.O.. Ulao, P.S.. Singhauli, District Begusarai, Bihar . 85113.

... .. Petitioner/s

Versus

1. Union of India through Secretary, Department of Petroleum and Natural Gas, Govt. of India, New Delhi.
2. The Oil India Limited through Chairman and Managing Director (CMD), Oil India Limited corporate office, Plot no. 19, Sector 16A, Noida, Uttar Pradesh . 201301.
3. The President and Chief Executive, Oil India Limited registered office Duliajan, Assam 786602.
4. Chief General Manager Pipeline service Pipeline Oil India Ltd. Head quarter P.O.. Udayan Vihar, Narangi, P.S. Satgaon, Distt. Kamrup, Guwahati . Assam 781171.
5. Chief General Manager (Administration and Co.ordinator) PIO, Oil India Limited Pipeline Headquarter Oil India Limited Narengu, Guwahati 781171, Assam.
6. The Deputy General Manager (ER) Oil India Limited P.O. and P.S.. Diliajan, Assam 786602.
7. The Additional General Manager (ER) Pipeline, Guwahati
8. Sr. Manager (ER) Pipeline, Guwahati
9. The Executive Director (HR), Pipeline, Oil India Ltd. P.O. Udayan Vihar, Guwahati 781171 Assam.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bishnu Kant Dubey, Advocate
For the Respondent/s	:	Mr. Radhika Raman, Sr.CGC Mr. Ram Tujabh Singh, CGC
For the Oil India Ltd.	:	Mr. J.P.Singh, Sr. Advocate Mr. Arbind Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 5 21.04.2026 1. Heard learned counsel for the petitioner and learned counsel for the Oil India Limited.
2. The petitioner has filed the instant application for a direction to the respondents to appoint the petitioner on



compassionate ground as his father, an employee of Oil India Limited, died in harness on 21.5.2020.

3. The case of the petitioner in brief is that his father, who was working as a Sanitary Cleaner, Grade-2, in the Pipeline Department of Oil India Limited and was posted at Guwahati in the State of Assam, was transferred in the year 2015 to Begusarai. On 20.5.2020, he suffered brain stroke in the office at Barauni and died on the next date ie 21.5.2020 in course of treatment at Patna.

4. The case of the petitioner is that his mother had predeceased his father. The petitioner's father having died leaving behind the petitioner, his brother and two sisters with no source of income, he filed a representation for appointment on compassionate ground.

5. It is submitted by learned counsel for the petitioner that the respondents not having appointed him on compassionate ground nor having responded to his application, in view of the family facing acute financial crunch, the petitioner filed the instant application. The application be allowed and the respondents be directed to appoint the petitioner on compassionate ground.

6. The application is opposed by learned counsel for the respondent nos. 2 to 9. Referring to the counter affidavit



filed, it is submitted by learned counsel that as per the Recruitment Policy, only when an employee dies due to work accident at the place of work that an eligible son is entitled for employment and further, in case the deceased employee does not have any eligible son, the nominee of deceased employee is paid an additional amount of Rs. 5 lakhs.

7. Learned counsel submits that the father of the petitioner not having died due to work accident at the place of work, the petitioner is not entitled for the benefits as per the Recruitment Policy brought on record as an Annexure-D to the counter affidavit.

8. Having heard learned counsel for the parties and having perused the material on record, the relevant clause 2.0 of the Recruitment Policy dated 21.3.2003 (Annexure-D) of the Oil India Company is reproduced herein below for ready reference:-

“2.0 If an employee dies due to work accident at the place of work, his/her dependents will be eligible to get one of the following two benefits from the Company :-

(A) Immediate employment to only an eligible son at the material time.

OR

(B) If at the material time the deceased employee does not have any eligible son for employment, the nominee of the deceased employee will be paid an additional amount of Rs. 5.00 lakhs



(Rupees five lakhs) only and there will be no preferential employment to any dependent. However, son of such deceased employee will be given priority in the normal course of unskilled recruitment along with others, if otherwise eligible.”

9. Even as per the case of the petitioner, his father sustained brain stroke on 20.5.2020 while at work in the Pipeline Department of Barauni Pump Station. He was taken to the local hospital at Begusarai from where he was shifted to Paras Hospital, Patna where he passed away on 21.5.2020.

10. In view of the facts of the case and even as per the stand of the petitioner, it cannot be said that his father died ‘due to work accident at the place of work’.

11. Thus, in the facts and circumstances of the case in the opinion of the Court, the petitioner will not be entitled for being appointed on compassionate ground as per the policy of the Oil India Limited.

12. The Court finds no merit in the instant application and the same is dismissed.

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(Partha Sarthy, J)

