

(2013) 08 JH CK 0083
In the Jharkhand High Court
Case No : WP (S) No. 2715 of 2013

Basant Kumar Jha and Another	Vs	APPELLANT
The State of Jharkhand and Others		RESPONDENT

Date of Decision : 14-08-2013

Acts Referred:

Citation : (2013) 4 JLJR 556

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Pradeep Kr. Verma, for the Appellant;

Judgement

Aparesh Kumar Singh, J.

I.A. No. 5525/2013

1. Let the Administrator, Bihar State Road Transport Corporation be impleaded as party respondent No. 5 in the instant writ application, for which necessary correction be carried by the counsel for the petitioner during the course of the day in red ink.

Heard counsel for the parties.

Petitioners has approached this Court for directing the respondents for granting compassionate appointment to the petitioner No. 1 on account of death of his father late Lali Kant Jha who is said to have died on 13th August, 2001 under the Corporation at its office at Dumka. The elder brother of the petitioner No. 1 had earlier approached this Court in WPS No. 2355/02 for a direction upon the respondents to consider his case for appointment on compassionate ground. However, the said writ petition was dismissed as withdrawn with liberty to the said petitioner to approach the competent authority of the Bihar State Road Transport Corporation for considering his case for appointment on compassionate ground. According to the petitioner, his representation has never been disposed of thereafter by the Administrator, Bihar State Road Transport Corporation.

2. Petitioners in the present writ application have once again approached this Court for directing the counterpart respondent State of Jharkhand to consider the case of the petitioner No. 1 for compassionate appointment as the Bihar State Road Transport Corporation has since been bifurcated and the father of the petitioner No. 1 had died within the territorial jurisdiction of Jharkhand State Road Transport Corporation.

3. Counsel for the respondent State of Jharkhand however objected to the said prayer on the ground that the father of the petitioner No. 1 had died in the year 2001 when Bihar State Road Transport Corporation was not bifurcated and therefore, the respondent BSRTC are responsible for taking a decision in the matter of compassionate appointment of the present petitioner No. 1. In such circumstances, without commenting upon the merits of the claim of the petitioners, the writ petition is disposed of by allowing the petitioner to once again file a fresh representation before the newly added respondent No. 5. The Administrator, Bihar State Road Transport Corporation, Patna, together with all supporting facts and documents, within a period of three weeks. On receipt of such representation, the respondent No. 5 shall consider the same in accordance with law and pass a reasoned and speaking order within a period of twelve weeks thereafter.

The writ petition is disposed of with the aforesaid observations. I.A. also stands disposed of.