

(2011) 07 PAT CK 0222
In the Patna High Court
Case No : LPA No. 422 of 2011

Sanjay Kumar

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 14-07-2011

Acts Referred:

Citation : (2013) 1 PLJR 742

Hon'ble Judges : Shivaji Pandey, J; Shiva Kirti Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. Heard learned counsel for the appellant and learned counsel for the State. Appellant has been denied compassionate appointment because two other sons of the deceased employee are in Government employment. The authorities have applied their minds to the relevant facts. The arguments advanced on behalf of the appellant create an impression that compassionate appointment is being claimed as a matter of right. It is well settled in law that compassionate appointment is an exception to general rule of appointment by considering all rival claims after advertisement. Such exception is only to meet the dire needs of a family put in distress because the sole bread earner in the family is no more. When two sons of the deceased are in Government service, the authorities cannot be criticized in any way for not accepting the claim for compassionate appointment.

2. We find no good reasons to take a different view than what has been taken by the Writ Court. The appeal is, therefore, dismissed.