

(2005) 02 PAT CK 0025
In the Patna High Court
Case No : CWJC No. 4908 of 2002

Sri Ajay Kumar Chaupal

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 01-02-2005

Acts Referred:

Citation : (2005) 1 PLJR 594

Hon'ble Judges : Barin Ghosh, J

Bench : Single Bench

Judgement

Barin Ghosh, J.—Heard learned counsel for the parties. It appears to be the case of the petitioner that the father of the petitioner, sinus deceased, a government employee, who died in harness, married the mother of the petitioner after the death of his first wife. It appears to be also the case of the petitioner that the first son born out of the wedlock of the deceased employee and his first wife has filed an affidavit and has stated therein that he is unfit to be appointed in any government post and accordingly, it is the case of the petitioner that he is the one and the only person who can be appointed in a government post and as such the claim for giving appointment to the petitioner on compassionate ground has been -put forward before the appropriate authority.

2. In the Counter affidavit, it has been stated that the claim of the petitioner that his father married his mother after the death of his first wife has been verified and on the basis thereof appropriate recommendations have been made to the appropriate authority and the matter is pending adjudication by the authority. In the supplementary affidavit filed by the petitioner, the petitioner has contended that the appropriate authority namely the Compassionate Committee has not yet decided the claim of the petitioner in view of pendency of the writ petition. In that view of the matter, the present writ petition is disposed of by directing the Compassionate Committee to decide the claim of the petitioner in accordance with law within a period of eight weeks from the date of service of a copy of this order upon it taking into account all the materials which are available with it

including the recommendation as well as the report of the investigation. There shall be no order as to costs.