

Roshan Kumar Vs The State of Jharkhand and Others

Court: Jharkhand High Court

Date of Decision: July 14, 2011

Hon'ble Judges: Narendra Nath Tiwari, J

Bench: Single Bench

Judgement

Narendra Nath Tiwari, J.

In this writ petition, the Petitioner has prayed for a direction on the Respondents to issue order of appointment

on compassionate ground which the Petitioner is entitled to get after the death of his father.

2. It has been stated that the Petitioner's father, Late Abdes Ram, died in harness on 17th January, 2005. At the time of death, he was working

as V.L.W. under the Respondent No. 3. The Petitioner's father died leaving behind the Petitioner, step mother, married step sister and mother as

well as brother and sister of the Petitioner. At the time of death of his father, the Petitioner was minor. He attained the age of majority on 15th

January, 2009 and applied for compassionate appointment. He has also filed no objection of other family members, including the step mother, but

in spite of lapse of a long time, no final order has been passed.

3. Nobody appeared on behalf of the Respondents.

4. I have heard learned Counsel for the Petitioner and perused the facts and materials on record. According to the Petitioner, he had applied for

his compassionate appointment before the Respondent No. 3 long back on 3rd April, 2008, but till date no order has been passed by the said

Respondent. In the counter affidavit filed by the Respondents, it has been stated that the deceased had two wives and the application for

appointment of compassionate appointment was filed by the son of second wife without enclosing "No Objection Certificate" from the first wife.

5. According to the Petitioner, he has filed "No Objection Certificate" of his step mother and other family members.

6. In view of the above, this writ petition is disposed of, directing the Block Development Officer, Manjhgauon, District West

Singhbhum Respondent No. 3 to consider the Petitioner's claim and pass reasoned order within two months from the date of receipt/production of

a copy of this order.