

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.7600 of 2010

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Anand Kishore Tripathi, S/O Late Shivakant Tripathi, R/O Village -Mamrakha,  
P.S.-Malahi, District- East Champaran at Motihari.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Department of Personnel & Administrative Reforms, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Human Resources, Govt. of Bihar, Patna.
4. The Deputy Secretary, Department of Human Resources, Govt. of Bihar, Patna.
5. The District Magistrate, East Champaran at Motihari.
6. The District Superintendent of Education, East Champaran at Motihari.
7. The District Education Officer, East Champaran at Motihari.

.... .... Respondent/s

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#### Appearance :

For the Petitioner/s : Mr. SHAKTI SUMAN KUMAR

For the Respondent/s : Mr. Tripurari Nath Ambastha, AC to GP 14

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**ORAL JUDGMENT**

**Date: 28-04-2015**

Recommendation in favour of the petitioner was made way back on 16/4/2008. When the writ application was initially taken up, the matter was adjourned awaiting the decision of a pending SLP before the Hon`ble Apex Court. That matter now stands disposed of giving liberty to State Government to take a decision on such issue. The Court is informed that certain persons have been given appointment in terms of the previous policy.

2. Be that as it may, writ application is disposed of with a direction upon the District Compassionate Appointment Committee relating to education that the claim of the petitioner is required to be now finally decided as to his entitlement for compassionate appointment in terms of the observation of the Apex Court and the prevalent rules in this regard then.

3. Despite recommendation made in terms of Annexure-4, since petitioner could not join awaiting some decision of the Apex Court, the period of pendency will not come in the way of the petitioner's consideration for compassionate appointment and decision in this regard must be taken by the District Programme Officer (Establishment), East Champaran, if necessary, by placing the matter before the appropriate authority, within a period of three months from the date of production of copy of this order.

**(Ajay Kumar Tripathi, J)**

R.K.Pathak/-

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