

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4993 of 2014

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1. Rakesh Kumar Rohan/Roshan Son Of Late Ramnandan Singh Resident Of
Village : - Chiraillidih, P.O. : - Chirailli, P.S. : - Khizarsarai, District : - Gaya
.... Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary Personal and Administrative
Department, Bihar
2. The Director, Bihar Elementary Education, New Secretariat
3. The Regional Deputy Director of Education, Magadh Pramandal, Gaya
4. The District Education Officer
5. The District Programme Officer
6. The Headmaster, Lalu Bigha Primary School , Block Khizarsarai
7. Mukhiya, Chiraili Gram Panchayat, Block - Khizarsarai, Distt. Gaya
.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha
For the Respondent/s : Mr. A.K.Singh, AC to GA 9

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 02-03-2016

The writ application has been filed by the petitioner to
appoint the petitioner on a permanent basis as an Assistant Teacher
instead of a Teacher on contract.

It may be clarified for record that the petitioner's
engagement offered by the respondent authorities is under the
compassionate scheme and not on merits as such of the petitioner.
Rules for compassionate appointment with regard to such employees
of the school has been notified by the State Government and it has
even been upheld by a Full Bench of this Court and similar prayers
have also been negated by a decision, which has been annexed as

Annexure- B to the counter affidavit filed on behalf of the State.

Since such appointments are not constitutional rights but flows from a particular policy, petitioner cannot expect or demand anything higher than what the policy envisages.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

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