

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16197 of 2014

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1. Kissa Kumari wife of Late Ranjan Kumar, Resident of Village- Kendua, P.O.-
Pinjaur, Police Station- Parasbigha, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education,
Govt. of Bihar, Patna
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Education Officer, Jehanabad
4. The District Programme Officer, Establishment, Jehanabad
5. The Area Education Officer, Jehanabad
6. The Block Education Extension Officer, Hulasganj, Jehanabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Respondent/s : Mr. GP22- G.P. OJHA

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 20-04-2016

Petitioner is the daughter-in-law of a former teacher who is
supposed to have died in harness.

Petitioner is insisting upon the right on the basis of a letter
addressed by the District Programme Officer (Establishment),
Jehanabad to the Director, Primary Education, Government of Bihar,
which is dated 14.11.2013.

A counter affidavit has been filed on behalf of the
respondents. They have taken a clear and categorical stand that even
for the appointment on the post of basic grade teacher, on
compassionate ground, Up-Shashtri is not adequate and valid.

Be that as it may, compassionate appointment is not a fundamental or constitutional right. Such appointment has to be in conformity with the requirements and eligibility of the policy so notified. No leeway or deviation in such policy is required to be made whatever be the hard case of the petitioner in this regard.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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