

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3546 of 2014

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1. Rajeev Kumar Son Of Late Binod Kumar Resident Of Village + P.O. Kaushla,
P.S. Nardiganj, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director of Education, Patna
3. The Regional Deputy Director, Munger Commissioner, Munger
4. The District Officer - Cum - Chairman District Compassionate Appointment Committee, Lakhisarai
5. The District Education Officer, Lakhisarai
6. The District Programme Officer (Establishment), Lakhisarai
7. The Headmaster, Sri Sita Ram Radhe Shyam High School, Mahsaura, Lakhisarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. MANOHAR PD SINGH
Mr. NARSINGH TANTI

For the Respondent/s : Mr. Niranjan Kumar, AC to GP 27

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT

Date: 04-01-2016

Death of the father of the petitioner happened on 30th April, 2007. Petitioner filed the writ application since no decision came to be taken on his prayer and request as well as the application filed by him.

The stand of the State is that the application of the petitioner for compassionate appointment was filed on 27.9.2013 after a lapse of 5 years, which is a time-barred application in terms of the policy of the General Administration Department with regard to compassionate appointment.

Counsel for the petitioner is not in a position to rebut that position.

If that is so, the reason for non-decision seems to be obvious.

However, today a letter No. 1078 dated 23.5.2015, issued under the signature of the District Education Officer, Lakhisarai, has been produced, which has been addressed to the Block Education Officer, Ramgrah Chowk. From such a communication it is evident that a direction has been issued for taking a final decision, which has not been taken till date.

Without expressing any opinion on the merit of the claim, let the respondent authorities take a final decision in accordance with law and the policy relating to such appointment, within a period of three months from the date of production of a copy of this order.

Writ application is disposed of in terms of the above.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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