

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7063 of 2014

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1. Ashish Kumar Alok son of Late Avinandan Singh resident of Village - Nawada,
P.S. - Chautham, P.O. - Chautham, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar .
2. The Principal Secretary, Department of Human Resources, Government of Bihar,
Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Katihar.
5. The District Programme Officer, Education (Establishment), Katihar.
6. The District Education Officer, Katihar.
7. The Block Development Officer, Pranpur Block, District - Katihar.
8. The Block Education Officer, Pranpur, Block District - Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abdul Wadood

For the Respondent/s : Mr. GP17- Binodji Verma

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 28-03-2016

Writ application is dismissed on the sole ground that the appointment on compassionate ground has been offered to the petitioner in terms of the policy in existence. Such policy has also been upheld by a Full Bench of this Court in the case of *State of Bihar and others V. Rajeev Ran Vijay Kumar, reported in 2010 (3) PLJR 294.*

With due respect, the Hon'ble Apex Court has not held the Full Bench decision to be bad in law nor has it commented upon the correctness or otherwise of the said decision. If that be so, that law is still a good law and is binding. In view of the same, no

direction can be issued for appointment of the petitioner on a permanent post contrary to the policy decision governing such compassionate appointment.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

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