

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12673 of 2013

=====

Nirmala Kuer, wife of Late Jagdish Chaudhary, Resident of Village - Chakdariya;
Police Station - Sonapur, District - Chhapra (Saran)

.... Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate, Muzaffarpur
3. The District Education Officer, Muzaffarpur
4. The District Superintendent Of Education, Muzaffarpur
5. The Establishment Deputy Collector, Muzaffarpur
6. The Headmaster, Govt. M.R.S. High School, Maniari, Muzaffarpur

.... Respondents

=====

Appearance:

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 02-12-2016

In this case, the petitioner is claiming salary since she has been appointed on compassionate ground and also promotion on class-III post from class-IV post.

The husband of the petitioner was a teacher and died in harness. Thereafter, the petitioner has been appointed on class-IV post on compassionate ground. The petitioner is claiming that since her appointment i.e. from 29.11.2006, no payment has been made.

A counter affidavit has been filed by the State, wherein in a specific term it has been stated that the petitioner has been



getting the salary regularly, and as such, the grievance that has been raised in the present petition is not sustainable.

So far as the second relief of promotion on class-III post is concerned, the compassionate appointment is giving by way of compassion, not by way of right. Once appointment has been given on class-IV post, the petitioner cannot claim for promotion on class-III post.

In such view of the matter, this Court does not find any merit in this writ application. Accordingly, this writ application is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	03.12.2016
Transmission Date	

