

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10634 of 2013

Unesh Paswan S/o Late Chetharu Paswan, resident of village + P.O+ Police Station- Chewada, District- Shekhpura.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Sheikhpura.
 2. The Superintendent of Police, Sheikhpura
 3. The Deputy Secretary, Department of Personnel and Administrative Reforms, Bihar, Patna.
 4. The Deputy Collector In-charge, District General Section, Sheikhpura.
 5. The Circle Officer, Chewada, District- Sheikhpura.
 6. The Officer In charge, Chewada, Police Station- Chewada, District- Shekhpura.
- Respondent/s

Appearance :

For the Petitioner/s : M/s Pankaj Kumar Sinha, Rabi Bhushan and Rakhi Kumari, Advs.

For the Respondent/s : Mr. S.S. P. Yadav, SC-14

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 26-09-2016

Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is claiming the compassionate appointment on the ground that his father, who was Chaukidar, died in harness on account of snake bite.

The petitioner has filed an application for his appointment, but he has been disqualified as having no qualification of 8th class.

The counsel for the petitioner has admitted that the petitioner did not have the requisite qualification, but he has placed reliance on the letter dated 18th December 2008 (Annexure-5), which

provides, in view of the recommendation of State Maha-Dalit Commission, the person from that category, be appointed on compassionate ground, but subject to acquiring the literacy within five years and in pursuance thereof, the Government has taken decision, the appointment on compassionate ground will be extended to the person, who has no qualification of 8th class, but subject to the condition that he must acquire the literacy within a period of two years otherwise, his services will be treated to have been dispensed with, but such benefit has not been extended to the petitioner.

In such view of the matter, this Court directs the respondent authority to consider the case of the petitioner in light of letter dated 18th December 2008.

For the convenience, the petitioner is directed to file a detailed representation annexing a copy of this order before the respondent authority, who will take decision within a period of three months from the date of filing of the representation.

With the above observation/direction, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
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