

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 461 of 2015

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Usha Singh Wife of Late Sunil Kumar Singh, Daughter of Sri Yogendra Prasad Singh, Resident of Village- Mohanpur Nisf, Post Office- Bihariganj, District- Madhepura

.... Petitioner

Versus

1. The State of Bihar
2. The Director, Primary Education, Bihar, Patna
3. The District Magistrate- cum- Chairman, District Compassionate Committee, Supaul
4. The District Education Officer, Supaul
5. The District Programme Officer, Supaul
6. The Block Education Extension Officer, Basantpur, Supaul
7. The Block Development Officer, Basantpur, Supaul
8. The Chief Executive Officer, Municipality Supaul

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Srikant Pandey
Mr. Anil Kumar Roy
For the Respondent/s : AC to SC - 14

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 19-01-2017 Heard Sri Srikant Pandey, learned counsel assisted by Sri Anil Kumar Roy, learned counsel for the petitioner and learned A.C. to Standing Counsel – 14.

The petitioner, who was appointed as Nagar Assistant Teacher in Kanya Madhya Vidyalaya, Birpur on the basis of compassionate appointment in the year 2006, has approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India, with a prayer to direct the respondents to re-consider her case for appointment on compassionate ground on



regular post in the regular pay-scale.

Fact remains that vide **Annexure – 2**, which was issued by the District Superintendent of Education, Supaul, the petitioner was given an option for accepting the appointment letter in the terms, which was indicated therein. Pursuant thereafter, the petitioner joined. Meaning thereby that she had agreed for the terms and conditions, which was imposed and thereafter, she was appointed.

Fact remains that petitioner's husband died in the year 2005 and thereafter, on compassionate ground, the petitioner has been appointed. After joining, which was done in the year 2006, certainly the petitioner may not be allowed to assail the terms & conditions, which was imposed in the year 2006 after expiry of several years.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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