

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5432 of 2012

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1. Pappu Kumar Son of Late Heera Prasad, Resident Of Village Baldiha,
P.S. Jamo Bazar, District Siwan

.... Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Human Resources Development Department, Government Of Bihar, Patna
2. The Director, Secondary Education, Government Of Bihar, Patna
3. The Director, Primary Education, Government Of Bihar, Patna
4. The Collector-Cum-District Magistrate, Bettiah
5. The District Education Officer, Bettiah
6. The District Programme Officer, Bettiah
7. District Establishment Committee, Bettiah

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Naresh Prasad, Advocate
For the State : Mrs. Binita Singh, SC-28
Mr. Nishant Kr. Jha, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 04-09-2017 In the present writ application, the petitioner has sought for direction to the respondents to appoint the petitioner on the post of Class III on regular pay scale from the date of his selection on the post of Nagar Shikshak in Government Middle School, Bettiah, West Champaran.

Learned Counsel for the petitioner submits that the appointment of the petitioner was made on compassionate ground on the post of Nagar Shikshak. The grievance of the petitioner is that the respondents are adopting arbitrary policy in appointing candidates on compassionate ground by appointing some of them



on regular posts of Class III under the Department, whereas some others as a teacher under local-self Govt. on a fixed salary. Such act on the part of the respondents is not fair and the same may be held to be arbitrary and illegal.

The counsel for the petitioner has further relied upon the order dated 26.06.2014 passed in C.W.J.C. No.9988 of 2009 reported in 2015(2) PLJR 176.

The petitioner is directed to file a representation before the Respondent No.3 i.e. the Director, Primary Education, Government of Bihar, Patna within a period of 60 days and the Respondent No.3 shall consider the case of the petitioner and pass a reasoned order in accordance with law within a period of 5 months from the date of receipt of such representation of the petitioner.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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