

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.538 of 2017

=====

Rakesh Kumar, Son of Chandrika @ Shree Chandrika, Resident of village -
Pachlakhi, P.O. Paclakhi, P.S.- Naubtan, District - Siwan, At Present C/o Anil
Kumar Yadav (Sir), resident of Mohalla - Bhanwar Pokhar, Behind Pakka Kuan,
P.O. Bankipur, P.S. Pirbahor, District - Patna

.... Petitioner/s

Versus

1. The Patna University Represent through Vice - Chancellor
2. The Vice - Chancellor, Patna University, Patna
3. The Registrar, Patna University, Patna
4. The Principal, B.N. College, Patna University, Ashok Raj Path Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ramji Kumar, Advocate
For the Respondent/s	:	Mr. Jay Shankar Pd. Singh, Advocate
For the University	:	Mr. Digvijay Singh, Advocate
		Mr. B. J. Jha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 01-12-2017

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

The instant writ application has been filed by the petitioner for a direction to the respondent to consider his case for appointment on compassionate ground on the ground that his father is traceless and in terms of the circular of the State Government contained in Annexure-16, the respondent University was required to consider his case for compassionate appointment, as the petitioner's case is covered by the said circular (Annexure-16) of the Government.

Mr. Jha appearing on behalf of the University submits that the University has to take final decision in the matter and



it will take some time.

The compassionate appointment is envisaged as a social security measure to tide over the financial crises on account of death or deemed death of the bread earner, the circular of the State Government is applicable to the University contained Annexure-16. The Patna University is required to take a decision at the earliest with regard to the claim of the petitioner, as the family of the deceased is facing financial crisis on account of the fact that the father of the petitioner was the only bread earner in the family and he is traceless since 2013 and every effort was made by the Collage and the University as well as the police to ascertain his whereabouts. Under the circular contained in Annexure-16, the State Government has made a provision for consideration of the case for appointment on compassionate ground of the bread earner found missing for more than two years. Under the circumstances, counsel for the petitioner submits that all the eventuality envisages under circular (annexure-16) stands complied, as such the University is required to take final decision.

After hearing the parties and considering the fact that circular contained in Annexure-16 is applicable in the case of the petitioner, the University is required to take final decision with regard to compassionate appointment of the petitioner. The University



is accordingly directed to take a final decision, if not already taken, within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid observations and directions, this application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.12.2017
Transmission Date	NA

