

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15360 of 2017

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1. Munna Kumar Ram, S/o Late Krishna Ram, R/o Village- Jalabasant,
P.O.- Basant, P.S.- Garkha, District- Saran at Chapara.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, General Administration Department,
Government of Bihar, Patna.
3. The Additional Secretary, General Administration Department,
Government of Bihar, Patna.
4. The District Compassionate Committee, Khagaria through it's Chairman.
5. The Chairman, District Compassionate Committee, Khagaria, Bihar.
6. The District Magistrate, Khagaria, Bihar.
7. The Superintendent of Police, Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh

For the Respondent/s : Mr. Partha Sarthi-Ga4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-04-2018

As per the judgment dated 18.08.2011 passed by

this Court in CWJC no. 15600 of 2009, it has been held that :

*“The touchstone for the exercise of the power
therefore is that does the family have other
sources of survival or is it left destitute. In each
case therefore it is a question of fact to be arrived
at after an enquiry.”*

In view of the aforesaid, the decision of the
District Compassionate Appointment Committee, Khagaria dated
30.05.2017, as far as the petitioner herein is concerned, is set aside



and the respondents are directed to consider the case of the petitioner herein.

It goes without saying that the Collector, the Chairman of the District Compassionate Appointment Committee shall call for an inquiry report from the responsible officer of the Government and then take a fresh decision in light of the discussion made in the aforesaid judgment dated 18.08.2011 passed in CWJC no. 15600 of 2009 within a period of eight weeks from today.

The present writ petition is allowed to the aforesaid extent.

(Mohit Kumar Shah, J)

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