

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17405 of 2016

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Hansdeep, Son of Late Sudheep Kumar Tiwari, R/o Village - Kutubganj
Mirzah, P.S. - Mojahitpur, District - Bhagalpur. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Patna.
 2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
 3. The District Compassionate Committee through its Collector, Bhagalpur.
 4. The District Magistrate, Bhagalpur.
 5. The District Education Officer, Bhagalpur. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Dinu Kumar, Advocate
Mr. Arvind Kumar Sharma, Advocate
For the Respondent/s : Mr. Madhaw Prasad Yada, GP- 23
Mr. Rajesh Kr. Singh, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 31-01-2018 Heard learned counsel for the petitioner and the respondents.

The grievance of the petitioner in the present writ application is non-consideration of his case for compassionate appointment. The father of the petitioner died in harness on 30.11.2011. From perusal of Annexure-4, it appears that the Senior Deputy Collector (Establishment), Bhagalpur has returned the application for compassionate appointment of the petitioner and others to the District Education Officer, Bhagalpur in the light of circular no. 2955 dated 22.06.2009.

Mr. Dinu Kumar, learned counsel appearing on behalf of the petitioner submits that contrary to the scheme of



compassionate appointment, the respondents are sitting tight over the matter and approximately 4 ½ years have elapsed they are not taking any decision in view of the fact that the father of the petitioner died in harness on 30.11.2011 and from Annexure-4 it appears that in the light of circular no. 2955 dated 22.06.2009 the matter was remitted back to the District Education Officer, Bhagalpur on 24.04.2013, but till date no decision was taken at the level of District Education Officer, Bhagalpur.

The dilly-dally attitude of the respondents in the matter of final decision on the application for compassionate appointment is contrary to the objective of the social security scheme. The idea behind the compassionate appointment is to provide financial assistance to the family of the bread earner, who died in harness. Unfortunately, the respondents are acting contrary to the very objective of the social security scheme of compassionate appointment.

Under the aforesaid circumstance, instead of keeping the matter pending, the writ application is disposed of with a direction to respondent no.5, the District Education Officer, Bhagalpur to take final decision on the application of the petitioner for compassionate appointment one way or the other within a maximum period of 60 days from the date of



receipt/production of a copy of this order.

With the aforesaid observation, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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