

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14581 of 2015

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Saroj Singh, son of Shri Surendra Prasad Singh, resident of village + P.O. Parshurampur, Police Station- Amnour, District- Saran (Chapra), at present posted as Prakhanda Teacher in govt. Upgraded Middle School Magahi Dih, Anchal- Chapra Sadar, District- Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Personnel and Administrative Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Level Compassionate Appointment Committee through its Chairman, the District Magistrate, Saran at Chapra.
5. The District Magistrate, Saran at Chapra.
6. The Deputy Collector (Establishment), Saran at Chapra.
7. The District Education Officer, Saran at Chapra.
8. The District Program Officer (Establishment), Saran at Chapra.
9. The Block Education Officer, Amnour, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Mishra
For the Respondent/s	:	Mr. Vivek Prasad- GP18

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-11-2018 Heard learned counsel for the parties.

Considering the fact that the petitioner has joined the post on compassionate appointment on 12.09.2012 no indulgence can be granted in the present writ petition for his appointment on Class -III post.

However, liberty shall be available to the petitioner to approach the District Programme Officer (Establishment), Saran (Chapra) for consideration of his case strictly in accordance with the principles laid down by the Apex Court in its judgment



in the case of *Mukesh & Another vs. State of Bihar & Ors.*
[(2017) 5 SCC 383].

If a representation along with a copy of this order is filed to that effect before the District Programme Officer (Establishment), Saran (Chapra), he shall consider the case of the petitioner in the light of the judgment in the case of *Mukesh & Another* (supra) and take a final decision within a maximum period of four months from the date of filing such representation.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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