

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7773 of 2010**

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1. Wasim Raza S/O Late Saiyad Fazle Mohammad Jafari R/O Vill.-  
Mustafabad, P.O.- Mustafabad, P.S.- Goreyakothi, Distt.- Siwan

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Public Health Engineering Department,  
Government Of Bihar, Patna
3. The Engineer-In-Chief - Cum - Special Secretary Public Health  
Engineering Department, Bihar, Patna
4. The Superintending Engineer Public Health Engineering Circle, Chapra,  
Distt.- Saran
5. The District Magistrate, Siwan
6. The District Magistrate-Cum-Chairman The District Compassionate  
Appointment Committee, Siwan
7. The Executive Engineer Public Health Division, Siwan
8. The Junior Engineer Public Health Sub-Division, Maharajganj, Distt.-  
Siwan

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Mishra  
For the Respondent/s : Mr. (Gp7)

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

4      05-03-2018      Heard the learned counsel for the petitioner

The brief facts of this case is that father of petitioner had discharged his duty as Class IV employees for the period from 3.11.2009 to 23.11.2009. The petitioner's father was discharging his duty as Key man Chaukidar of Public Health Engineering Department Maharajganj died on 13.04.2008 whereafter the petitioner has filed application for appointment on compassionate ground. The Compassionate Appointment Committee headed by the Collector recommended for his appointment and accordingly,



petitioner was appointed, and in pursuance thereof, petitioner joined the post on 3.11.2009 but as per the Rule 8 of Group D Service condition Rule, 2009 which require that the appointment is required to be approved by the Directorate or by the Secretary. The mistake was identified whereafter the petitioner, vide letter dated 23.11.2009, was not allowed to discharge the duty but after approval of the Directorate and he was again appointed to the said post.

In view of the above facts, the petitioner has admittedly worked for the period from 3.11.2009 to 23.11.2009 but the petitioner has not been paid his salary, accordingly, the State is directed to make payment salary for the aforesaid period. Accordingly, this writ petition is disposed of.

Payment has to be made within three months from the date of receipt / production of a copy of this order.

**(Shivaji Pandey, J)**

Sanjeev/-

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