

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13382 of 2015

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Nitish Kumar Chandan, son of Late Chandra Kishore Prasad Yadav, resident of Chandan Bhawan Bharti Nagar, Ward No. 26, Mohalla- Batraha, Saharsa, P.S. + District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Director, Department of Primary Education, Government of Bihar, Patna
3. The Regional Deputy Director of Education, Koshi Division, Saharsa
4. The District Magistrate, Saharsa
5. The District Education Officer, Saharsa
6. The District Programme Officer (Establishment) Saharsa
7. The Block Education Officer, Sour Bazar (West), District- Saharsa
8. The In-charge Headmaster, Middle School, Nado, Block- Sour Bazar, District- Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. Rajeev Shekhar, AC to GA 13

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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 16.04.2008 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), Saharsa 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), Sahasra, 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)

mrl./-

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