

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15566 of 2016

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Intesar Akhter, Son of Late Matin Akhter, resident of Village Rampur
Saghari, P.S. Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Vaishali at Hazipur.
3. The District Programme Officer, Vaishali at Hazipur.
4. The Block Education Officer, Patepur, Vaishali at Hazipur.
5. The Principal Primary School, Patepur, Vaishali at Hazipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha, Advocate

For the Respondent/s : Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and the

State.

The father of the petitioner died in harness on
01.11.2015, while he was in service.

Learned counsel appearing on behalf of the petitioner
submits that in view of the circular of the State Government dated
09.09.2008, the respondents are required to decide the claim of the
petitioner for compassionate appointment. Referring to Annexure-
6, he submits that the case of the petitioner was forwarded by the
Block Education Officer, Patepur, Vaishali vide letter no. 116
dated 14.12.2015 and the same is pending at the level of District
Programme Officer (Establishment), Vaishali (respondent no.3).



The idea behind the compassionate appointment is to provide immediate financial assistance to the family of the bread earner, who died in harness, so that the family may tide over the financial crisis.

In view of the circular of the State Government dated 09.09.2008, the respondents are required to take final decision and from Annexure-6 it appears that the case of the petitioner for compassionate appointment was forwarded to the District Programme Officer (Establishment), Vaishali way back on 14.12.2015. More than two years have elapsed and till date the respondents have not taken final decision. The respondents have even not chosen to file counter affidavit despite service of two advance copies on 14.09.2016 to the office of learned Advocate General before filing of the writ application.

Under the aforesaid circumstances, the writ application is disposed of with a direction to respondent no.3 to take immediate step for disposal of the case of the petitioner for compassionate appointment by completing all the formalities. It shall be the responsibility of respondent no.3 to place the case of the petitioner before the Statutory Committee under the circular dated 09.09.2008 in order to ensure final decision in the matter of compassionate appointment to the petitioner. Such exercise must



be completed within a maximum period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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