

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12124 of 2017

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Kumari Snehalata, wife of Late Chandrashekhar, resident of Village- New Bypass Road, Anisabad, P.S. Beur, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The District Programme Officer, Establishment, Patna.
5. The Block Development Officer-cum- Member Secretary, Block Employment Unit, Phulwari Sarif, Patna.
6. The Block Education Officer, Phulwari Sarif, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Respondent/s : Mr. Jitendra Kumar Ray - Sc13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 11-04-2018 Heard learned counsel for the petitioner and the counsel appearing on behalf of the State.

Petitioner has filed the present writ application for a direction to the respondents to consider the case of the petitioner for compassionate appointment as husband of the petitioner died in harness on 9.1.2015. After the death of the husband of the petitioner, the application for compassionate appointment was filed by the petitioner in the prescribed format.

The Block Education Officer dated 17.8.2015 recommended the case of the petitioner before the District Programme Officer (Establishment), Patna for appropriate



decision in the matter of compassionate appointment. The District Programme Officer (Establishment), Patna vide order dated 31.12.2015 recommended the case of the petitioner for compassionate appointment but the respondents thereafter, sat tight over the matter and no decision was taken on the claim of the petitioner.

The idea behind compassionate appointment is to provide immediate financial assistant to the family on account of untimely death of the bread earner. The widow is before the court for a direction to the respondents but the respondents are indecisive in taking any decision for compassionate appointment.

Considering the peculiar facts of the case, the respondents are hereby directed to take final decision on the claim of the petitioner for compassionate appointment within a maximum period of sixty days from the date of receipt/production of a copy of this order.

It is to be noted here that the respondents have to take decision to appoint the petitioner even as untrained Panchayat Shikshak on the condition that teachers appointed have to pass training as well as TET within a period of six years from the date of appointment.



In view of their own policy decision, the respondents are required to take decision in the matter of compassionate appointment to the petitioner.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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