

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6651 of 2015**

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Chandan Bharti S/o Late Surendra Prasad Singh resident of village-  
Narayanpur, P.S.- Sultanganj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. District Magistrate, Banka.
3. District Education Officer, Banka
4. District Programme Officer, Banka
5. Block Development Officer, Shambhuganj, Banka.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Kumar Mritunjay Narain, Advocate  
For the Respondent/s : Mr. Rajesh Kumar, AC to GP-3

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      27-11-2018                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The grievance of the petitioner in this case is that he  
ought to have been appointed on regular basis and not on  
contractual basis on compassionate ground.

The issue as to compassionate appointment has been  
settled by the Apex Court in the case of **Mukesh & anr. Vs.**  
**The State of Bihar & Ors: (2017) 5 SCC 383.**

In view of the judgment of the Apex Court in the case  
of Mukesh (supra) the respondent-District Programme Officer,  
is required to take fresh decision with regard to entitlement of  
the petitioner in the light of the principles laid down by the



Apex Court in that case and take final decision within a period of 4 months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

spandey/-

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