

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10828 of 2017

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1. Prabhat Raushan Son of Late Ugra Narayan Singh, Resident of Sisautia,
P.O. Koenia Pima, P.S. Parihar, District Sitamarhi (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi, Bihar.
4. The Block Education Officer, Nokhara, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Usha Rai

For the Respondent/s : Mr. Jitendra Kr.Roy No1-Sc13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

4 07-03-2018 Heard the learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Grievance of the petitioner is non consideration of the case of the petitioner for compassionate appointment. Petitioner is son of the deceased employee who died in harness. Earlier the mother of the petitioner applied for appointment on compassionate ground in the year 2003 and a meeting of the Compassionate Appointment Committee was held on 1st of September, 2003. When no action was taken by the respondents the present petitioner had applied for consideration of his case for compassionate appointment. So far as the present petitioner is concerned, the Court does not find any merit in his case as



compassionate appointment is not a reservation. However, the Court is of the view that if the mother had applied for compassionate appointment well within time, the respondents were required to consider the application of the petitioner's mother for compassionate appointment.

If no decision as yet was taken in the matter of compassionate appointment of the mother of the petitioner then the respondents are required to take final decision in the matter of compassionate appointment of the mother of the petitioner in accordance with law. Accordingly, the writ petition is disposed of with a direction to the respondents to consider the case of the mother of the petitioner who applied for compassionate appointment in the year 2003 as per the statement made in paragraph 3 of the writ application. Final decision in the matter of the claim of the mother of the petitioner for compassionate appointment shall be taken within a period of two months.

It is made clear that the petitioner cannot raise his grievance for consideration for his compassionate appointment.

(Anil Kumar Upadhyay, J)

AnilKrSinha/-

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