

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18859 of 2017

=====

Md. Sarfaraj Nawaj, S/o Md. Asmat Ali, Resident of Bagtola Jadhua, P.O.-
Jadhua, P.S.- Town Police Station, District- Vaishali at Hazipur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Primary Education, Government of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Government of Bihar, New Secretariat, Patna.
3. The District Education Officer, Vaishali, P.S. & District- Vaishali at Hazipur.
4. The District Planning Officer, Vaishali, P.S. & District- Vaishali at Hazipur.
5. The Block Education Officer, Garaul, P.S. & District- Vaishali at Hazipur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Shankar Pradhan, Sr. Advocate
Mr. Jainendra Kumar, Advocate
For the Respondent/s : Mr. Amarendra Kumar, AC to AAG-15

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

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

The grievance of the petitioner in the present writ application is non-consideration of his case for compassionate appointment, despite recommendation of the Block Education Officer, Garaul, Vaishali to the District Programme Officer (Establishment), Vaishali vide letter no. 455 dated 14.07.2017.

Under the policy decision of the State Government, the authorities of the State Government are required to take decision in the matter for consideration of appointment on compassionate ground.

Learned counsel appearing on behalf of the petitioner



submits that mother of the petitioner died in harness on 20.04.2016 and recommendation for consideration of the case of the petitioner for compassionate ground was made to the District Programme Officer (Establishment), Vaishali way back on 14.07.2017 and till date the respondents are indecisive in the matter of compassionate appointment.

In view of the policy decision of the State Government and the principle laid down by the Hon'ble Apex Court in various cases including in the case of **Sushma Gosain & Ors Vs. The Union of India & Ors**, reported in (1989) 4 SCC 468, the Hon'ble wherein the Apex Court has laid down the principle that in the matter of compassionate appointment, the respondents are required to take final decision expeditiously so that the family may tide over the financial crisis on account of death of the bread earner.

The writ application is, accordingly, disposed of with a direction to the respondent District Programme Officer (Establishment), Vaishali to examine the matter of compassionate appointment of the petitioner and take final decision within a maximum period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Uday/-

U			
---	--	--	--

