

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1016 of 2019

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Ashutosh Kumar aged about 40 years, s/o late Vijay Sharma, r/o vill-Suryagarha, PO-Nadwan, PS-Dhanarua, Dist-Patna at present F-68, 02 Anandvihar colony, Bhutnath road, Sampatchak, Dist-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Director, Secondary Education, Department of Education, Government of Bihar, Patna
3. The District Magistrate, Nalanda-cum-The Chairman, The District Compassionate Committee, Nalanda
4. The District Education officer, Nalanda
5. The District Programme Officer (Establishment), Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar Jha
For the Respondent/s : Mr.Jitendra Kr. Roy 1- Sc13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 16-01-2019

1. The learned counsel for the petitioner prays that the case of the petitioner for appointment on compassionate ground be directed to be considered in terms of the judgment ***dated 03.04.2017*** passed by the Hon'ble Apex Court in ***Civil Appeal no. 4776-4777 of 2017 (Mukesh Kumar and Another v. State of Bihar and Others)*** as reported in ***(2017) 5 SCC 383***.

2. The learned counsel for the respondents submits that the District Education Officer, Nalanda is the competent authority to examine such matters, hence the case of the petitioner be relegated to the said authority.



3. Having regard to the facts and circumstances of the case, the District Education Officer, Nalanda is directed to examine the case of the petitioner in light of the aforesaid judgment rendered by the Hon'ble Apex Court in the case of ***Mukesh Kumar (supra)*** and in case, it is found that the petitioner is similarly situated, then appropriate relief should be granted to the petitioner herein. It is needless to state that the entire exercise of examination of the case of the petitioner should be completed within a period of 12 weeks from today.
4. The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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