

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11342 of 2015

Govind Kumar son of Late Santohi Raut, Resident of Village- Phulwar, P.S.-
Banjaria, District- East Champaran. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, General Administrative
Department, Govt. of Bihar, Patna
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate cum President District Compassionate Committee,
East Champaran, Motihari.
4. The Deputy District Collector cum Chief Executive Officer, Zila Parishad,
East Champaran (Motihari). Respondents

Appearance :

For the Petitioner/s	:	Mr.Madhurendra Kumar
For the State	:	Mr. Apurva Kumar, AC to GA VI
For Zila Parishad	:	Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-02-2019 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State as also the learned

Counsel appearing on behalf of Zila Parishad.

The petitioner's claim for compassionate appointment
on account of death of his father in harness on 10.10.2010 was
not being considered by the authorities. The petitioner
approached this Court seeking a direction in his favour and upon
the respondents to appoint him on compassionate ground.

The Zila Parishad has filed counter affidavit. Specific
stand is that six petitions of different heirs of the deceased
employees of Zila Parishad has been filed. Petitioner's name is
at serial No. 3. It is the stand of the Zila Parishad that after
proper enquiry the Zila Parishad Compassionate Committee will



submit report to the Panchayati Raj Department and after recommendation action will be taken for consideration for appointment on compassionate ground.

Such stand has been taken in the counter affidavit in February 2017. After lapse of one year Counsel for the petitioner submits that till today the Zila Parishad has not submitted the enquiry report as per their own stand taken in the counter affidavit.

The petitioner's claim for compassionate appointment has to be considered on the basis of enquiry report to be submitted by Zila Parishad. Such inaction on the part of Zila Parishad, in light of the admitted position that they are under obligation to submit enquiry report, cannot be countenanced.

The respondent No. 4 is, therefore, directed that in light of their stand taken in their counter affidavit the enquiry report in respect of the petitioner's claim should be submitted by the Zila Parishad Compassionate Committee to the Panchayati Raj Department within a period of three months from the date of receipt/production of a copy of this order so as to facilitate further action on the same in accordance with law.

The writ petition stands disposed of.

(Madhuresh Prasad, J.)

SNkumar/-

U			
---	--	--	--

