

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11832 of 2015

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Ajay Kumar Son of Late Lalan Choudhary Resident of Village - Rahua, P.O.-
Tulsiyahi, P.S.- Bihara, District - Saharsa

... .. Petitioner

Versus

1. The State Of Bihar through Principal Secretary, Department of Home (Police) Govt. of Bihar Patna
2. The Director General of Police, Bihar, Patna
3. The District Compassionate Committee, Madhepura through its Chairman
4. The Collector, Madhepurra
5. The Additional Collector, Madhepura
6. The Superintendent oof Police, Madhepura

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Singh
For the Respondent/s : Mr.Ajay- GA 5
Mr. Pratik Sinha, AC to GA 5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-04-2019 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State.

Rejection of petitioner's claim for compassionate appointment on account of death of his father in harness on 30.6.2011, while working as Head Clerk in the office of Respondent No. 6, is impugned in the writ proceeding.

The claim of the petitioner has been rejected on the ground that the alleged partition of the petitioner with his brother, who is in government employment, was by an unregistered partition deed.

There is a circular dated 10.5.2010 issued by the



General Administration Department bearing No. 1781, which has recently been considered by the Full Bench of this Court in respect of claim made for compassionate appointment where the brother is already in government employment. This Court would only observe that in terms of para 48 of the judgment in the case of *Niraj Kumar Mallick vs. State of Bihar & os* reported in **2018(2) PLJR 951** the authorities should consider the claim of the petitioner for compassionate appointment.

The claim of the petitioner is on account of death of his father in harness in the year 2011. Therefore, this Court would observe that the authorities should consider the claim expeditiously, without any undue delay and preferably at the next meeting of the District Compassionate Committee subsequent upon receipt/production of a copy of this order.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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