

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4721 of 2018

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Jitendra Kumar, son of Ram Anuj Ram, residing at Village- Pandarak, P.O.- Pandarak, Police Station- Pandarak, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Human Resources Department, Government of Bihar, Patna
2. The Director, Primary Education, Human Resources Department, Govt. of Bihar, Patna.
3. Regional Deputy Director Education, Bhagalpur Division, Bhagalpur.
4. District Programme Officer, Establishment Education, Jamui.
5. Incharge Principal, Govt. High School Lath- Lath, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mani Madhukar
For the Respondent/s : Mr.Ashutosh Ranjan Pandey- Aag15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-07-2019 Heard learned counsel for the petitioner and the State.

Despite indulgence granted by the Court, the respondents have not chosen to file counter affidavit.

The present writ application has been filed by the petitioner for a direction to the respondents to consider his case for compassionate appointment.

The father of the petitioner was working as peon in Government High School Lath-Lath, Jamui. He disappeared on 26.10.2007 and in terms of statutory period after seven years, missing father is presumed to be dead.

Learned counsel for the petitioner submits that the



petitioner has applied for compassionate appointment on 26.02.2008 on account of disappearance of his father.

The presumption as to the death is only after seven years of disappearance and according to the petitioner the date is October, 2014. The petitioner thereafter approached the respondent Incharge Principal Govt. High School Lath-Lath, Jamui for referring his case for compassionate appointment, but the respondent authorities have not considered his case for compassionate appointment.

Considering the aforesaid, the writ application is disposed of with a direction to the respondents to take appropriate decision with regard to compassionate appointment of the petitioner in accordance with law and pass appropriate order on the claim of the petitioner for compassionate appointment within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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