

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4595 of 2016

=====

Dewendra Yadav @ Devendra Yadav Son of Late Ramshray yadav, Resident
of Village - Ratanmala, P.O. 7 P.S. - Bagaha - 1, District - West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Registration Department, Government of Bihar,
Vikas Bhawan, Bailey Road, P
3. The Inspector General of Registration, Government of Bihar, Patna.
4. The Assistant Inspector General of Registration, Government of Bihar,
Patna.
5. The District Compassionate Appointment Committee, Madhubani, through
the District Magistrate, Madhu
6. The District Magistrate, Madhubani.
7. The District Sub - Registrar, Registry Office, Madhubani.
8. The Sub Divisional Officer, West Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ganesh Singh
For the Respondent/s : Mr.Gp12

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-06-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

It is submitted by Mr. Mukherji that case of the
petitioner is that on account of death in harness of his father in
September, 2007, he made an application for appointment on
compassionate ground in Collectariate at Madhubani. Several
applications were considered by District Compassionate
Committee in its meeting dated 27.12.2011. Petitioner was
offered an appointment on Class IV post. It is submitted that



though much prior thereto, petitioner had submitted enhanced qualification of intermediate pass, but compassionate committee had considered his claim on the basis of matriculation educational qualification.

Mr. Mukherji further submits that due to extraneous consideration, enhanced qualification was not placed by the concerned section before compassionate committee as a result of which the petitioner has suffered whereas others who also possessed qualification of intermediate pass have been allowed on class III post by the compassionate committee.

The issue, however, has not been raised before the District Magistrate through compassionate committee and therefore, there is no occasion for this court to conclude that the petitioner has been subjected to discriminatory treatment by compassionate committee.

In the circumstance, this court would grant liberty to the petitioner to highlight the issue before the District Magistrate, Madhubani by filing detailed representation along with receipt showing submission of enhanced qualification in September, 2011. In the event such application is filed, claim of the petitioner for being offered class III post should be considered by the respondent-authority. If there is no other



impediment, authority is free to grant him benefit in accordance with law in the event such application is filed within four weeks, District Magistrate, Madhubani should consider the same by passing speaking order thereupon within three months thereafter.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

U			
---	--	--	--

