

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2620 of 2020

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Avishek Kumar @ Abhishek Kumar S/O Late Baijnath Singh @ Baidnath Singh, Resident of Village - Bela, Post Deo, P.S. Madanpur, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Old Secretariat, Patna, Bihar.
2. The Principal Secretary Law Department, Govt. of Bihar Old Secretariat, Patna, Bihar.
3. High Court of Judicature at Patna through its Registrar General Patna High Court, Patna.
4. The District and Sessions Judge Aurangabad, District Aurangabad.
5. The District Magistrate Aurangabad, District Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Ratnakar Prasad, Advocate
For the Respondent/s	:	Mr Gyan Prakash Ojha, GA VII
For the High Court	:	Ms Smriti Singh, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and the respondent-State.

Claim of the petitioner is pending consideration for appointment as compassionate ground.

The learned counsels representing the High Court as well as the Civil Courts and State submit that consideration is limited against the post earmarked for compassionate appointment. There is no averment in the writ petition that the posts are available within the earmarked 5% of vacancy for appointment on compassionate ground. Claim of the petitioner,



therefore, would be considered in accordance with law as and when posts are available within the 5% posts earmarked for the purpose.

With the aforesaid observation, writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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