

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 18837 of 2018

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Murli Manohar S/o Shri Ramjiwan Prasad, Resident of Mohalla- Sikandarpur,
Post- Jamalpur, District- Munger.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Secondary Education,
Government of Bihar, Patna
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Munger.
4. The District Magistrate, Munger.
5. The District Education Officer, Munger.
6. The District Programme Officer (Establishment), Munger.
7. The Executive Officer, Nagar Parishad, Jamalpur, Munger.

... .. Respondents

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Appearance :

For the Petitioner : Mrs.Pushpa Sinha, Advocate
For the Respondents : Mr.Kameshwar Kumar GP 17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 05-03-2020 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner has approached this Court to consider
his case for appointment on compassionate ground as his wife
died in harness on 10.09.2016.

The petitioner represented the respondents for
appointment on compassionate ground but the respondents have
not decided the claim of the petitioner as yet.

After coming into force of sub-clause (7) of the Bihar
Panchayat Primary Teacher (Employment and Service



Conditions) Rules, 2006, the respondents have decided to make appointment on the post of Panchayat Teacher/Block Teacher/Town Teacher. In 2012, the respondents have fixed the eligibility criteria/qualification for appointment as Niyojit Shikshak as trained with TET qualification which rendered the claim of the compassionate appointment virtually redundant.

A special Committee was constituted by the Education Department comprising of the Additional Secretary, Education Department; Deputy Director, Primary Education Directorate, Deputy Director, Higher Education and Assistant Director, Secondary Education. The Committee recommended for appointment of a person on compassionate ground on the posts of Clerk and Peon in terms of Memo No. 1275 dated 26.09.2019.

Considering the aforesaid recommendation of the Special Committee vide Memo No. 1275 dated 26.09.201, the writ petition is disposed of with a direction to the respondents to examine the claim of the petitioner afresh for appointment on compassionate ground against class III or IV post if the petitioner is not found eligible for appointment as Panchayat Teacher. In this regard necessary decision shall be taken within a maximum period of four months from the date of receipt/



production of a copy of this order.

With the aforesaid observations and directions, the
present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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