

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21508 of 2019

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Samreen Naaz, son of Late Mohammad Khursheed Alam, resident of Aftab
Manzil Sadique Colony, Dargah Road, P.S. Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Special Director, Secondary Education, Govt. of Bihar, Patna.
4. The Directorate Level Compassionate Appointment Committee, Bihar, Patna
through its Chairman.
5. The District Magistrate, Patna.
6. The Principal, Madarsa Islamia Shamsul Hoda, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Advocate
For the Respondent/s : Mr. Prabhakar Jha (GP-27)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-01-2020 Heard the learned counsel for the petitioner and

the State.

The petitioner is daughter of late Md.

Khursheed Alam, an employee of Government Madarsa

Islamia Shamshul Hoda, Patna, which is the only

government Madarsa in the State of Bihar. She made an

application for consideration of her claim for

compassionate appointment as her father had died in

harness. The application was acted upon and the



Principal of the Madarsa Islamia Shamshul Hoda forwarded her application to the Special Director, Secondary Education, Government of Bihar for consideration. The Special Director referred the matter to the District Education Officer for placing the case of the petitioner before the District Compassionate Appointment Committee for the needful. The file was returned with a noting that the case of the petitioner can be considered only by the departmental Compassionate Appointment Committee and not by the District Compassionate Appointment Committee. However, the Special Director insisted upon the matter being considered by the District Compassionate Appointment Committee.

This recalcitrance of the Special Director, it has been argued, has resulted in the delay in finalization of the claim of the petitioner. On one occasion, the Special Director had directed the Principal of the school to verify the records of the claim of the petitioner for the needful.



In this process of passing on the buck, the claim of the petitioner has not yet been considered. Under this circumstance, the mother of the petitioner had to make a representation before the Principal Secretary, Education Department, Government of Bihar, Patna on 08.06.2018 which also has fallen on deaf ears.

Considering the entire facts of this case in a holistic manner, this Court deems it appropriate to directs the petitioner to make a suitable representation before the Principal Secretary, Education within a period of three weeks from today, who, on receipt of such representation shall have the facts enquired from the department/institution and cause the case of the petitioner to be placed before the concerned Committee which would consider the claim of the petitioner for compassionate appointment. This exercise ought to be completed within a period of four months from the date of submission of the representation referred to above and the petitioner shall be made known the outcome of



such decision.

With the aforesaid observation/direction, the
writ petition stands disposed off.

(Ashutosh Kumar, J)

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