

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1499 of 2020

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Sushant Kumar S/o Late Baidhnath Ram Resident of Mohalla- Ward No. 02,
Nakchhed Tola Gandhi Nagar (Near Gyan Babu Chowk), P.S.- Motihari
Town, District - East Champaran

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The Director (Primary Education) Education Department, Govt. of Bihar,
Patna
3. The District Magistrate, East Champaran
4. The District Education Officer, East Champaran
5. The District Programme Officer (Establishment) East Champaran
6. The Block Development Officer Banjaria, District- East Champaran
7. The Block Education Officer Banjaria, District - East Champaran

... .. Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Tiwari, Advocate
For the Respondents : Smt. Shilpa Singh GA 12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 18-02-2020

Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The present writ petition has been filed for a
direction to the respondents to consider his case for appointment
on compassionate ground.

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, the present writ petition stands
disposed of.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	27.2.2020
Transmission Date	N.A.

