

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16257 of 2014

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Munna Kumar Mahato son of late Ram Kailash Mahato resident of village -
Bari Nagar, Ashram Tola, Ward No.8, Post office Guru Bazar, Police Station -
Barari, District - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary to the Government,
P.H.E.D., Bihar, Patna, Bisheshwaraiya Bhavan, Bailey Road, Patna.
2. The Chief Engineer, Mechanical , P.H.E.D., Bihar, Patna, Bisheshwaraiya
Bhawan, Bailey Road, Patn
3. The Superintendent Engineer, P.H.E. Circle, Purnia, District - Katihar
4. The Executive Engineer, P.H.E. Division, Katihar, District Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Lalan Kumar Singh, Advocate
For the Respondent/s : Smt. Geeta Kumari, GP-28

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 28-11-2022

Petitioner has prayed for the following relief(s):

“For issuance of an appropriate writs
or directions commanding the respondent to
consider and grant the compassionate
appointment to the petitioner, when the service
of the father of the petitioner has been absorbed
on sanctioned vacant post in the permanent
establishment in the light of the decision taken
by the three man committee in pursuant to the
direction of this Hon’ble Court.”

After the matter was heard for some time, finding

the Court not in favour of the submissions made by the learned



counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to approach respondent No. 3, namely The Superintending Engineer, P.H.E. Circle, Purnia, District- Katihar and/or initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are left open to be agitated by the competent authority.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

K.C.Jha/DKS

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