

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18105 of 2014

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Sudhakar Kumar son of Late Arun Kumar Singh resident of Village Post -
Ratwara, P.S. - Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Director, Mass Education, Education Department, Bihar, Patna.
3. District Magistrate, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhinav Srivastava
For the Respondent/s : Mr.R.R. K Pandey

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 06-12-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

On account of his services under the non-formal education scheme as supervisor from 1988 to 1994, petitioner's father was considered for regularization, in light of certain orders passed by this Court in favour of displaced instructors and supervisors under the scheme. The District Authorities on 20.09.2012, brought out an office order for giving regular appointment to the displaced supervisor/instructors of the scheme in the regular establishment subject to certain terms and conditions specified in the officer order itself. The petitioner's



father died three days after the decision was taken by district authorities to offer regular appointment. On account of his death on 23.09.2012, the petitioner seeks compassionate appointment.

Learned counsel for the petitioner submits that it is a very hard case, whereas the authorities have recognized the claim of the petitioner's father for regular appointment, but before it fructified, his father has died leaving the dependents in penury.

It is not disputed that the petitioner's father never came into the regular employment of the Government pursuant to the decision dated 29.10.2012. The petitioner's father could have been considered as Government servant only after his appointment as a result of the decision dated 20.09.2012, as contained in Annexure-6 to the writ petition, which admittedly never took place. It is also not in dispute that since, 1994, the petitioner's father had been displaced from the scheme. Thus it is not in dispute that when petitioner's father died, he was not working under the scheme since at least the last 18 years. Since he was not working for such a long time, it is not a case of sudden loss of bread earner, in harness.

Petitioner's case clearly is not covered by the scheme for compassionate appointment.

The writ petition, is therefore, devoid of merit and the



same is dismissed.

(Madhuresh Prasad, J)

Raj kishore/-

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