

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3271 of 2021**

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Ritesh Kumar S/o Arun Kumar Singh, R/o Vill - Bachhauta, P.S. - Morkahi,  
Dist. - Khagria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Health Department,  
Govt. of Bihar, Patna.
2. The Executive Director, State Health Society Saikhpura, Patna.
3. The District Magistrate cum Chairman District Health Society, Khagria.
4. The Civil Surgeon cum member Secretary, District Health Society, Khagria.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar No. 1

For the Respondent/s : Mr. Mujtabaul Haque- GP-12

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**ORAL JUDGMENT**

**Date : 29-01-2022**

The matter is heard *via* video conferencing due to  
circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accept notice for respondents.

3. Petitioner's counsel to serve copy of the petition to the  
State counsel.

4. In the instant petition, petitioner has prayed for  
following reliefs:

“1) That by the present Writ  
Petition, the poor and helpless unemployed  
Petitioner craves indulgence before this  
Hon'ble Court for directing the Respondents  
to appoint this Petitioner on compassionate  
ground within a short fixed period as his  
mother Late Kiran Kumari, sole bread earner  
of the family has died in harness on  
24-12-2018 during the tenure of her service,  
working on the post of ANM at Primary  
Health Sub Centre Dhusmuri Bishanpur of  
Block Khagria of Dist- Khagria.”



5. Grievance of the petitioner is relating to compassionate appointment. Petitioner's late mother Kiran Kumari died on 24.12.2018 while working on the post of ANM at Primary Health Sub Centre Dhusmuri Bishanpur of Block Khagaria of District- Khagaria. Petitioner's grievance relating to compassionate appointment has not been decided by the Respondent Nos. 3 and 4.

6. Therefore Respondent Nos. 3 and 4 are hereby directed to decide whether petitioner is entitled to compassionate appointment in accordance with relevant regulation or not? If petitioner is otherwise eligible, compassionate appointment order shall be issued. If he is not entitled, in that event, necessary order shall be passed as to why petitioner is not entitled for compassionate appointment. The above exercise shall be completed within a period of two months from the date of receipt of this order, failing which petitioner is entitled to litigation cost and it is quantified @ Rs. 25,000/-. The cost shall be paid by Respondent No. 3 since the very object of providing compassionate appointment to meet harness in the family would be defeated.

7. With the aforesaid observations, the instant petition stands disposed of.

**(P. B. Bajanthri, J)**

rakhi/-

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