

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.976 of 2023

Amish Singh S/o Late Ajay Kumar Singh Resident of A/6, Shivpuri, Beur
Road, Anishabad, P.s. Beur, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar through its Finance Secretary, Govt. of Bihar, Patna,
2. The PR. Accountant General (A and E), Bihar, Patna.
3. The Sr. Accounts Officer (Adm,n-1), A.G. Bihar, Patna.
4. The Accounts Officer (Adm,n-1), A.G. Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar, Advocate Mr.Santosh Kumar Singh, Advocate
For the Respondent/s	:	Mr.Ravi Ranjan, AC to SC-22
For the Accountant General:	:	Ms.Ritika Ravi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-04-2023 Petitioner in the present case is seeking a writ in the nature of mandamus directing the respondents to appoint him on compassionate ground. It is stated that his father died in harness on 06.12.2019 as Sr. Accountant in the office of Accountant General. The petitioner has done Bachelor of Engineering (Telecommunication).

It is his own statement that the petitioner was issued provisional offer of appointment to the post of MTS (Multi Tasking Staff) and he was directed to accept the offer within 30 days but the petitioner instead of accepting the offer requested the respondents for extension of time. The respondents, in fact extended the period by another one month but then the



petitioner did not accept the offer. He wrote to the respondents that he would join if he is offered a position in Group 'C'. Upon this communication from the petitioner, the respondent authorities cancelled the candidature of the petitioner on the post of MTS as on compassionate ground. The same has been reiterated by the respondents in the letter dated 20.09.2021 (Annexure '7' to the writ application).

Learned counsel for the State submits that petitioner cannot claim appointment on compassionate ground against a particular post. The fact that the petitioner was offered the appointment but he refused to join on the post would make him disentitled for the reliefs prayed in the writ application.

Ms. Ritika Ravi, learned counsel for the Accountant General is also present.

In the facts of the present case, where the petitioner has declined to join on the post offered to him and has not challenged the cancellation of his candidature, this Court would not issue any direction save and except to say that in case the respondents are willing to consider the case of the petitioner sympathetically as is being prayed at this stage to allow him to join on the same post which he was offered earlier, the same be considered within a reasonable period.



This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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