

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4291 of 2023

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Raju Paswan Son of Late Surendra Paswan, Resident of Village- Bhuski Khusrupur, P.O. and P.S. Khusrupur, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary Department of Urban Development and Housing Department, Bihar, Patna.
2. The Executive Officer, Nagar Panchayat Khusrupur.
3. Most. Lakhiya Devi Wife of Late Ram Babu Paswan, Resident of Village- Maheshpur, P.S. Mehandiganj, District- Patna.
4. Akash Paswan @ Chhotu Paswan Son of Late Ram Babu Paswan, Resident of Village- Maheshpur, P.S. Mehandiganj, District- Patna.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Yogendra Mishra, Advocate
		Ms.Swati Mishra, Advocate
For the Respondent no. 2:		Mr.Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-04-2023 Learned counsel for the petitioner prays for permission to make corrections in Paragraphs ‘6’, ‘7’ and ‘8’ of the writ application.

Permission is granted. Let the correction be carried out in course of the day.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner in the present case is seeking a direction to the respondent authorities especially respondent no. 2 to consider the case of the petitioner for appointment on compassionate ground.

Learned counsel for the petitioner submits that the



father of the petitioner namely, Surendra Paswan had been appointed as Jamadar under respondent nos. 2 and 3. He died in harness on 16.02.2020. It is submitted that the petitioner has applied for his appointment on compassionate ground but during pendency of the application, one Lakhiya Devi claiming herself to be the wife of Surendra Paswan, claimed appointment of her son Akash Paswan. It is stated that the said Akash Paswan had earlier disclosed his father's name as Ram Babu Paswan which would be evident from copy of FIR No. 42 of 2022 dated 19.01.2022 (Annexure '4' to the writ application).

It is submitted that Mostt. Lakhiya Devi happened to a relation of Late Surendra Paswan but she had no other status as Surendra Paswan had married Late Guljariya Devi who died leaving behind the petitioner and other members.

Learned counsel for the State submits that since the representation of the petitioner is pending with respondent no. 2, appropriate direction may be issued to respondent no. 2 to examine the representation of the petitioner and consider his case for appointment on compassionate ground within a time frame.

Having heard learned counsel for the petitioner and the State as also on perusal of the records, this Court is of the



considered opinion that the kind of disputes raised in the matter of appointment of the petitioner, the respondent no. 2 shall hear the petitioner as well as the rival claimant, examine the case of the petitioner for compassionate appointment and take a reasoned decision thereon within a period of four months from date of receipt/ communication of a copy of this order.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

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