

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2223 of 2023

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Anupam Anand, Son of Birendra Pandey, Resident of Mohdinagar, Post -
Mirjanhat, P.S.- Mojahidpur, Kutubganj, District- Bhagalpur, Bihar- 812005.
... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Bihar, Patna.
 2. The District Education Officer, Banka.
 3. The District Programme Officer (Establishment), Banka.
 4. The Block Education Officer Prakhanda, Rajauli, District - Banka.
- Respondents

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Appearance :

For the Petitioner/s	:	Mr. Munish Kumar, Advocate Ms. Minakshi Kumari, Advocate Mr. Munna Raj, Advocate
For the Respondent/s	:	Mr. Sanjay Kumar, AC to GP- 23

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner in the present case is seeking a writ
in the nature of Writ of Mandamus commanding the respondents
to consider his case for appointment on compassionate ground.

3. Learned counsel for the petitioner submits that the
father of the petitioner was earlier appointed on the post of
Block Teacher under the provisions of the Bihar Elementary
Teachers (Employment and Service Condition) Rules, 2006 as
amended in 2008 and 2012. He was directed to join in the
Middle School, Vayan Korma, however, in view of the order
passed in CWJC No. 15459 of 2014 (a public interest litigation)



by this Court, all the certificates of the employed teachers were verified by the Vigilance Department whereafter a case being Rajoun P.S. Case No. 466 of 2019 was registered against the father of the petitioner alleging therein that all his certificates were found forged and fabricated. During pendency of the trial, the father of the petitioner died on 25.01.2020.

4. Learned counsel submits that the father of the petitioner was not terminated from service, hence, the case of the petitioner is liable to be considered in accordance with the policy decision of the Government.

5. Learned counsel for the State submits that there are serious allegations of getting appointment on the basis of forged certificate against the father of the petitioner. In such circumstance, what would be the decision of the Government may be known to this Court only if an opportunity is granted to the competent authority to consider the representation of the petitioner and pass an appropriate order.

6. Having regard to the facts and circumstances of the case, taking note of the submissions mentioned hereinabove, this Court directs the respondents/competent authority to look into the grievance of the petitioner, consider his case for compassionate appointment if it fits in the policy of the



Government and take an appropriate decision thereon in accordance with law within a period of four months from the date of receipt/production of a copy of this order.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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