

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2404 of 2023

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Raja Ram Chandra Singh, Son of Pankaj Kumar Singh @ Pankaj Kumar Sinha, Resident of Village- Rupin, P.O.- Fatehpur, P.S.- Fatehpur, District- Gaya, Bihar, Pin- 824232.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary of Health Department, Government of Bihar, Patna.
2. The Chief Secretary of Health Department, Government of Bihar, Patna.
3. The Deputy Secretary, Health Department, Govt. of Bihar, Patna.
4. The District Magistrate-cum-Chairman, District Compassionate Appointment Committee, Gaya, Bihar.
5. The District Magistrate, Gaya, Bihar.
6. The Civil Surgeon-cum-Chief Medical Officer, Gaya.
7. The In-charge Medical Officer, Primary Health Center, Tankuppa, Gaya.
8. The Assistant Concern, Primary Health Center, Tankuppa, Gaya.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Kumar Kishan, Advocate Mr. Avinash Raushan, Advocate
For the State	:	Mr. Ravi Kumar, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner in the present case is seeking a direction to the respondents to consider him for appointment on compassionate ground against a Class IV post.

It is stated that the mother of the petitioner was working as Auxiliary Nurse Midwife (A.N.M) in Primary Health Center, Tankuppa in the district of Gaya. Due to sudden demise of the mother of the petitioner, the petitioner was facing hardships, therefore, he filed an application for his appointment



on compassionate ground.

Learned counsel for the petitioner submits that the application of the petitioner seeking appointment was not being forwarded by the concerned authority and as they demanded illegal gratification, the matter was brought to the notice of the Vigilance and in a trap case Vigilance arrested one Sunil Kumar, Assistant Clerk of Primary Health Center, Tankuppa, Gaya for demanding bribe of Rs. 55,000/- and accepting the same. A Vigilance Case being Vigilance Case No. 17 of 2022 has been registered.

Learned counsel submits that thereafter the petitioner has been subjected to hostile discrimination and his application for appointment on compassionate ground has not been considered.

Learned counsel further points out that earlier a minor discrepancy in the name of the father of the petitioner was found but the same has already been corrected and the rectified certificate has been filed.

Learned counsel submits that still the matter has remained pending for no plausible reason.

In the nature of the submissions made on behalf of the petitioner, at this stage this Court directs the District Magistrate-



cum-Chairman, District Compassionate Appointment Committee, Gaya (Respondent No. 4), Civil Surgeon-cum-Chief Medical Officer, Gaya (Respondent No. 6) and the In-charge Medical Officer, Primary Health Center, Tankuppa, Gaya (Respondent No. 7) to act in tandem with each other, examine the application of the petitioner and take an appropriate decision thereon within a period of four months from the date of receipt/production of a copy of this order.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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