

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2821 of 2019

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Geeta Sinha W/o Late Akhilesh Kumar Sinha resident of Village-
Nandanpura, P.S.- Makdumpur, District- Jehanabad, at present Sumitra Sadan,
Azad Path, Saristabad, P.S. Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Secondary Education Bihar, Patna.
3. The District Compassionate Committee through the District Magistrate,
Patna.
4. The District Education Officer Patna.
5. The District Programme Officer (Establishment) Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Subhash Chandra Mishra (SC16)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL JUDGMENT

Date : 31-10-2023

1. Heard learned counsel for the parties.
2. Learned counsel for the petitioner submits that husband of the petitioner died in harness on 15.02.2014 while he was working as Class-IV employee in High School, Fatehpur, Patna. The petitioner applied for appointment on compassionate ground 04.08.2015 before the Headmaster of Rajkiyakrit Chhatriya Uchch Vidyalaya, Fatehpur, Patna. The District Programme Office (Establishment), Patna, vide letter dated 04.09.2015, replied to the Headmaster that in view of the Government letter dated 22.06.2009, the appointment on



compassionate ground of the petitioner cannot be acted upon since intermediate qualification is essential for appointment on the post of Panchayat Teacher/ Prakhanda Teacher and therefore, the case of the petitioner could not be considered. Learned counsel for the petitioner, by referring to the order dated 29.02.2019 passed in this case, submits that a categorical statement was made by the petitioner that she is willing to be appointed on Class-IV post. He also relied upon an order dated 03.03.2020, passed by this Court in C.W.J.C. no. 1065 of 2017 and other analogous cases to submit that the Education Department constituted Four Member High Power Committee and the Committee, after due deliberation, submitted recommendations vide Memo no. 1275 dated 26.09.2019 that the case of the dependent shall be considered for appointment on Class-III and Class-IV post, if they do not fulfill the eligibility condition for appointment as Panchayat Teacher. Accordingly, it is submitted that the present writ application be disposed in terms of the order dated 03.03.2020, passed by this Court in C.W.J.C. no. 1065 of 2017 and other analogous cases.

3. Learned counsel for the State does not dispute the submission made by the learned counsel for the petitioner and submits that the present writ petition may be disposed in terms



of the aforesaid order.

4. In view of the submissions made by the learned counsel for the parties, present writ application is disposed in terms of order dated 03.03.2020, passed in C.W.J.C. no. 1065 of 2017 and other analogous cases.

5. Accordingly, the Director, Secondary Education, Bihar, Patna is directed to take proper decision with regard to the claim of the petitioner for appointment on Class-IV post in light of recommendation of the High Power Committee, as contained in Memo no. 1275 dated 26.09.2019, within a maximum period of four months of receipt/ production of a copy of this order.

6. With the aforesaid observations and direction, the present writ application is disposed.

(Anil Kumar Sinha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.11.2023
Transmission Date	NA

