

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4610 of 2023

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Chandradeep Kumar Son of Late Kamal Ram Resident of Nawada, P.S. and
P.O.- Nawada, District- Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Collector, District- Gopalganj.
4. The District Compassionate Appointment Committee, Gopalganj, through District Collector, Gopalganj.
5. The District Commandant, Department of Home, Government of Bihar, Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Respondent/s : Mr.Dhurendra Kumar, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and the

State.

Petitioner in the present case is seeking the following
reliefs:-

“(a) For issuing a writ of mandamus directing the Respondent Committee to consider the application of the petitioner for appointment on compassionate basis, whose application has been pending since 2021.

(b) Further the Hon’ble Court may pass any order/orders, direction/ directions which it may deem fit within the facts and circumstances of the case and within the ends of equity justice and good conscience.”



It is the case of the petitioner that his father died on 19.09.2019 while working as Home Guard doing his duty in Gopalganj after being hit by a vehicle, he has left behind his wife, three sons and one daughter. It is his submission that he is the youngest of the sons and daughter, all other siblings live separately.

Learned counsel for the petitioner submits that the petitioner has submitted an application seeking appointment on compassionate ground. His case was placed before the District Compassionate Appointment Committee for consideration on 31.01.2022 and he was directed to be present before the Committee vide letter dated 29.01.2022 (Annexure 'P/5'). It is his submission that a meeting of the District Compassionate Appointment Committee was held on 02.05.2022 in which also the petitioner was asked to be present. The petitioner presented himself but his case was not decided. The petitioner received a letter dated 28.07.2022 asking him to supply list of family members and unemployment certificates. It is stated that the petitioner has responded to the same.

Learned counsel submits that the Hon'ble Apex Court in the case of **Malaya Nanda Sethy versus The State of Orissa And Others (Civil Appeal No. 4103 of 2022)** has observed that



application for compassionate appointment has to be decided within a reasonable period and if those are not attended for years together, it causes hardship.

Learned counsel for the State is present.

In the given facts and circumstances, this Court directs the District Compassionate Appointment Committee, Gopalganj to examine the case of the petitioner in accordance with the Government's policy and guidelines and take a decision thereon within a period of three months from the date of receipt/production of copy of this order.

This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

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