

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5881 of 2023

=====

Supriya Kumari, Wife of Late Ravi Ranjan Kumar, Resident of Mohalla- Zero Mile, Yaduwanshi Nagar, P.O. South Ekauna, Police Station- Udwanthnagar, District- Bhojpur (Arrah), Bihar-802210.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Bihar, Patna.
3. The District Magistrate-Cum-Chairman of the District Compassionate Committee, Buxar, Bihar, Patna.
4. The Director, Secondary Education, Bihar, Patna.
5. The District Education Officer, Buxar, Bihar, Patna.
6. The District Programme Officer, Buxar, Bihar, Patna.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr. Mithilesh Prasad Sharma, Advocate
For the Respondent/s : Mr. Jitendra Kumar Roy 1, SC- 13

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-08-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. Petitioner in the present case is seeking a writ in the nature of Writ of Mandamus commanding and directing the respondent authorities particularly the District Magistrate-cum-Chairman of the District Compassionate Committee, Buxar, Bihar (Respondent No. 3) to consider the case of the petitioner for appointment on compassionate ground. The petitioner further prays for all the consequential benefits for the period her application has remained pending consideration with Respondent No. 3.

3. It is the case of the petitioner that her husband Late



Ravi Ranjan Kumar was selected in the subject of Social Science as Zila Parishad Madhyamik Teacher, High School, Nawanagar, Buxar. Pursuant to his appointment, he had joined in the said School but after serving for a period of six years three months and eighteen days, unfortunately he passed away while undergoing treatment of a dreaded disease.

4. Learned counsel submits that her husband left behind him the petitioner, a child aged about three and half years and a male child in womb who took birth on 28.03.2022.

5. It is further submitted that in terms of a resolution of the State Government in its Department of Education as contained in Memo No. 11/Mu. 9-163/2019- 1128 dated 21.08.2020, there is a provision for appointment on compassionate ground of a dependent of a teacher who dies in harness.

6. It is submitted that in view of the said policy decision of the Government, the petitioner submitted her application dated 13.04.2022 for appointment on compassionate ground on a suitable post of School Assistant. It is submitted that there is no bread earner in the family and the petitioner along with her two little children are compelled to live a life of beggar. In such condition of penury, learned counsel for the petitioner submits that keeping in view the judgment of the Hon'ble Supreme Court in the case of **Umesh Kumar Nagpal Vs. State of Haryana and Ors**



reported in **(1994) 4 SCC 138**, this Court may issue appropriate direction.

7. Learned counsel for the State submits that the application for appointment on compassionate ground, if pending with the District Compassionate Appointment Committee headed by the District Magistrate, the same will be considered within a reasonable period and an appropriate decision shall be taken thereon at the earliest opportunity.

8. In the aforesaid view of the matter, in the nature of the submissions and the reliefs prayed, this Court directs the District Magistrate, Buxar (Respondent No. 3) to convene a meeting of the District Compassionate Appointment Committee within a period of six weeks from today, consider the case of the petitioner for appointment on compassionate ground and take an appropriate decision thereon within a period of six weeks thereafter.

9. In totality, the decision shall be taken within a period of three months from today and the same will be communicated to the petitioner.

10. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

lekhi/-

U			
---	--	--	--

