

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4316 of 2018

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Ashutosh Kumar Son of Late Bindeshwari Paswan Resident of Mohalla and
Post - Sanjat, Thana - Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate-cum-Chairman, District Compassionate Committee,
Begusarai.
3. The Deputy Collector Establishment, Begusarai.
4. The Block Development Officer, Birpur, Begusarai.
5. The Block Development Officer, Bhagwanpur, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh, Adv.
	:	Mr. Prabhat Singh, Adv.
For the Respondent/s	:	Mr. P.K. Verma- AAG3
	:	Dr. Mankeshwar Tiwari, AC to AAG3

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 05-12-2023 Learned counsel for the petitioner and counsel for
the State are present.

2. Counsel for the petitioner submits that father of the petitioner was working as Panchayat Sevak, posted at Block Office- Birpur, Begusarai and died during his service period on 20.01.2009. He submits that the petitioner is second son of his father having qualification of Matriculation and he has applied for appointment on compassionate ground on 06.02.2012. His matter was recommended and forwarded to the Compassionate Committee by Block Development Officer, Birpur, Begusarai, but subsequently, the committee has not recommended the petitioner's name for appointment and his claim was rejected on the ground that the elder son of the deceased employee is already working as Panchayat Teacher. Counsel submits that in



this regard that the elder brother of the petitioner is living separately before the death of his father.

3. Counsel for the State submits that the compassionate appointment has been guided by the General Administration Department, Government of Bihar, Patna Guidelines issued by Letter No. 15789 dated 19.11.2014 by which it is clearly stated that the benefit of compassionate appointment shall not be given to a person in case anyone dependent of the deceased government employee is gainful employee. Here in the present case, the elder son of the deceased employee is in service of Panchayat Teacher and on this ground, the claim of the petitioner has been rejected by the State.

4. In the light of the submissions made by the parties, this Court is of the view that the State has taken stand in the light of the Circular i.e., the General Administration Department, Government of Bihar, Patna Guidelines issued by Letter No. 15789 dated 19.11.2014 and there is no merit in this case.

5. In this background, the present writ application stands dismissed.

(Dr. Anshuman, J.)

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