

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11472 of 2017

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Nilu Kumari W/o Late Om Hari Verma, Village- Manara, P.O.- Dharampur,
P.S. Noorsarai, District- Nalanda, present address- D/o Sri Arjun Prasad,
Village- Dadupur, P.O.- Bangpur, P.S.- Parwalpur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through the principal secretary, Education department, Govt. of Bihar, Vikash Bhawan, New secretariat, Patna-800001.
2. The Secretary, Education Department, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna- 800001.
3. The Director, Primary Education, Education Department, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna-800001.
4. The District Magistrate cum the District compassionate appointment Committee, District Collectariat, Bihar Sharif, District-Nalanda.
5. The District Education Officer, District Education Office, Bihar Sharif, District- Nalanda.
6. The District Programme Officer, District Education Office, Bihar Sharif, District- Nalanda.
7. The Mayor cum the President, Municipal Corporation appointment Committee, Bihar Sharif, District- Nalanda.
8. The Municipal Commissioner cum the Member Secretary, Municipal Corporation appointment Committee, Bihar Sharif, District-Nalanda.
9. The Members, Municipal Corporation appointment Committee, Bihar Shrif, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jayram Sharma, Advocate

For the State : Mr. Sanjay Kumar, AC to GP-23

For Corporation : Mr. Gyan Prakash Ojha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY



ORAL JUDGMENT
Date : 07-10-2023

1. Heard learned counsel for the parties.
2. The petitioner has filed the instant application for appointing the petitioner on compassionate ground on the post of Municipal Teacher or Non-teaching staff.
3. The case of the petitioner in brief is that the husband of the petitioner who was appointed on the post of Municipal Teacher at Girls Primary School, Chaukhandipar, Bihar Sharif at Nalanda on 25.3.2013, died on 27.6.2013 leaving behind the petitioner ie his widow. Inspite of the petitioner having filed an application before the District Magistrate for appointment on compassionate ground in place of her husband, and the said application having been forwarded to the authorities concerned, the petitioner was not appointed and finally she was forced to file the instant writ application. The petitioner received a letter dated 17.2.2017 (Annexure-8) from the Municipal Commissioner- Cum- Member Secretary of the Compassionate Committee at Bihar Sharif asking him to furnish documents. Learned counsel for the petitioner referring to the statement made in the reply to the counter affidavit submits that all the required documents were already furnished to the respondents in March, 2017 itself, however no decision has



been taken on her application for appointment on compassionate grounds.

4. Learned counsel for the respondents submits that as per instructions received, the petitioner had prayed for appointment as a Municipal Teacher and her not having the requisite qualification, she could not be appointed. However, on query by the Court, it is admitted that no decision has been taken on the application for compassionate appointment filed by the petitioner.

5. In view of the facts and circumstances of the case, the matter relating to appointment on compassionate ground on account of death of the husband of the petitioner which took place as far back as on 27.6.2013 and the required documents as asked for by the respondents already having been furnished by the petitioner on 1.3.2017, The District Magistrate cum the District compassionate appointment Committee, District Collectariat, Bihar Sharif, District- Nalanda (respondent no.4) and the Municipal Commissioner cum the Member Secretary, Municipal Corporation appointment Committee, Bihar Sharif, District- Nalanda (respondent no.8) are directed to consider the application for appointment on compassionate ground filed by the petitioner within a period of six weeks of



communication/receipt of a copy of this order and to take a final decision thereon which shall be communicated to the petitioner within a period of two weeks of the decision being taken.

6. The writ application stands disposed of.

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	12.10.2023.
Transmission Date	N/A

