

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2880 of 2020

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Vimla Devi Wife of late Arun Kumar, Resident of Village- Rasulpur, P.O. Rasulpur, P.S. Janjha, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Primary Education, Patna.
2. The Director Primary Education, Department of Education, Government of Bihar, Patna.
3. The District Education Officer (Estt.), Sheohar.
4. The Headmaster, Government Girls Middle School, Borhan, Anchal-Dumari Korhari, District- Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suraj Narain Yadav, Adv.
For the Respondent/s : Mr.Ashutosh Ranjan Pandey, AAG-15

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 25-06-2024

Heard learned counsel for the petitioner and learned counsel for the State.

2. By filing the present writ application, the petitioner has prayed to issue a writ in the nature of Mandamus and/or any other appropriate writ, order or direction commanding upon the respondents to appoint the petitioner on compassionate ground as her husband died-in-harness and further to grant any other relief/reliefs for which the petitioner is found entitled.

3. Learned counsel for the petitioner submits that on 24.07.2012, the petitioner has submitted a representation along with affidavit to the District Education Officer, Sheohar for



payment of death-cum-retiral benefit and appointment on compassionate ground pursuant to which the District Education Officer, Sheohar vide letter No. 999 dated 15.10.2012 sought direction from the Director, Primary Education, Bihar, Patna regarding appointment of the petitioner on compassionate ground, but no heed was paid to the same.

4. It is further submitted that when no action was taken by the respondent Authorities in the matter of the petitioner, the petitioner again submitted an application with affidavit in prescribed format for appointment on compassionate ground on 07.11.2012, which was duly forwarded by the Headmaster to the District Education Officer, Sheohar and pursuant to the same, the District Education Officer, Sheohar again by letter No. 99 dated 22.02.2013 sought direction in the matter from the Director Primary Education, Bihar, Patna. Thereafter, the petitioner also submitted an application under RTI on 07.05.2013 to the Director Primary Education seeking information regarding action taken on letter No. 999 dated 15.10.2012 and letter No. 99 dated 22.02.2013 of the District Education Officer, Sheohar, but no information was supplied to her. Then again, the petitioner submitted a representation on 12.06.2013 by registered post seeking information regarding



action taken on the letters dated 15.10.2012 and 20.02.2013 of the District Education Officer, Sheohar pursuant to which she received letter No. 883 dated 24.06.2013 and she was informed that no direction has been issued in the matter till date to the District Education Officer, Sheohar.

5. Learned counsel for the State also submits that no any instruction or direction has been given in the said matter by the respondent no.2 till date.

6. After hearing learned counsels for the parties and also perusing the contents of the writ application, it appears that the petitioner has represented her matter several times by way of written representations for redressal of her grievances, but till date, nothing was done nor any information in this regard has been given to her.

7. In such view of the matter, this writ application is disposed of with a direction to the petitioner to file a detailed representation before the Director Primary Education, Department of Education, Government of Bihar, Patna (respondent no.2) along with the supporting documents within a period of four weeks from the date of receipt/production of a copy of this order. The respondent no.2 is well advised to dispose of the representation of the petitioner by a reasoned and



speaking order within a period of ten weeks from the date of filing of such representation by the petitioner after affording opportunity of personal hearing or through her counsel. The respondent no.2 is also directed not to take plea of delay in the matter of the petitioner.

8. It is made clear that the respondent no.2 shall be personally responsible for non-compliance of this order within the stipulated period.

9. Accordingly, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

divyanshi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.06.2024
Transmission Date	NA

