

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11001 of 2021

Vikalp Kumar Singh S/o Late Manraj Singh, R/o Gajadharganj Buxar, Ward no. 11, P.S.- Buxar Town, District Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Principle Secretary, Urban Development and Housing Development Department, Govt. of Bihar.
3. The District Magistrate, Buxar.
4. The Special Officer, Urban Development and Housing Development Department, Govt. of Bihar.
5. The Executive Officer, Nagar Parisad, Buxar.
6. The Deputy Secretary cum Director, Urban Development and Housing Development, Govt. of Bihar.
7. Principle Secretary, Finance Department, Govt. of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gyanendra Kr. Shukla, Advocate Mr. Mayank Prasana Dubey, Advocate Mr. Shashi Kant Mishra, Advocate
For the Respondent/s	:	Mr. Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

9 08-05-2024 The instant matter relates to compassionate appointment of the petitioner on the death of his father in harnesses. The writ petition undertakes a long journey since 2021. By order dated 20th July 2023, a Co-ordinate Bench of this Court passed the following direction:-

“The Principal Secretary, Urban Development & Housing Development Deptt. Govt. of Bihar (Respondent no. 2), in the circumstances, is required to file an affidavit showing taking of concrete steps for redressing the petitioner’s grievance expeditiously and preferably within a period of four weeks.”

2. Petitioner’s grievance was not satisfied during the



period stipulated by this Court which prompted this Court to pass an order dated 11th September 2023 in the following manners:-

“2. The Court would only record that the issue is regarding grant of compassionate appointment. The Authorities should thus take steps for ensuring that the stand of the respondents recorded in the earlier order dated 20.07.2023, is followed up in action and taken to its logical and legal conclusion. Affidavit should be filed within four weeks.

3. This Court is making it clear that time is being granted by way of last indulgence.”

3. It is submitted by the learned counsel for respondent no. 2 that the Project Officer-cum-Deputy Director, Urban Development and Housing Department, Government of Bihar, issued a letter to the Executive Officer, Municipal Council, Buxar, stating, *inter alia*, that vide a department notification no. 2503 dated 03rd May 2018, Group D posts in the municipal local bodies have been abolished. No new post of Group D has been created thereafter. Therefore, the Executive officer requested to appoint the petitioner in Group C post if he has requisite eligibility.

4. It is submitted by the learned Advocate appearing on behalf of the petitioner that the petitioner has requisite eligibility to be appointed in Group C post in the Municipal



Council, Buxar. It is submitted by the learned Advocate for the Municipal Council and other State respondents that the concerned District Magistrate may be granted four weeks time to issue appointment letter in favour of the petitioner on the basis of the letter dated 16th August 2023 issued by the Executive Officer-cum-Deputy Director, Urban Development and Housing Department to the Executive Officer, Municipal Council, Buxar.

5. In view of such submission, the instant writ petition is disposed of directing the District Magistrate, Buxar, being the Chairman of the Compassionate Appointment Committee to take final decision with regard to the appointment of the petitioner in Group C post in the Municipal Council, Buxar after holding requisite meeting of the Compassionate Appointment Committee within four weeks from the date of this order.

6. Let a copy of this order be communicated to the District Magistrate and Chairman of the Compassionate Appointment Committee, Buxar for information and strict compliance.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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