

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1565 of 2019

In
Civil Writ Jurisdiction Case No.19553 of 2015

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Rahul Kumar Son of late Rana Pratap Singh Resident of Village-Nasrina, P.S.
Kurtha, District-Arwal

... .. Petitioner/s

Versus

1. The State of Bihar .
2. Sri R.K.Mahajan, name of father not known to the petitioner, the Principal Secretary, Education Department, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
3. Sri Arvind Kumar Verma, name of father not known to the petitioner the Director, Primary Education, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
4. Sri Abhishek Singh name of father not known to the petitioner, District Magistrate-cum-Chairman, District Compassionate Committee, Gaya.
5. Md. Mustafa Hussain Mansoori name of father not known to the petitioner, the District Education Officer, Gaya.
6. Sri. B. Ram name of father not known to the petitioner, the District Programme Officer (Establishment), Gaya.
7. Sri Kamaljeet Chaudhary name of father not known to the petitioner, Block Education Extension officer, Dumaria, Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kishore, Sr. Advocate
For the Opposite Party/s : Smt. Abhanjali, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-04-2024 Heard Mr. Shivendra Kishore, learned Senior

Counsel appearing on behalf of the petitioner and Mrs.
Abhanjali, G.A.-12.

2. The contempt petition was preferred due to non
compliance of the order dated 27.11.2018 passed in C.W.J.C.
No. 19553/2015 in which the respondents/opposite parties were



directed to take decision on the compassionate appointment of the petitioner.

3. The show cause on behalf of opposite party no.5, the District Programme Officer (Establishment), Jehanabad is on record and the learned State Counsel has taken this Court to Annexure-A which is the decision dated 3.2.2020 by which the District Magistrate cum Chairman, District Compassionate Appointment Committee, Gaya has rejected the claim of the petitioner.

4. Learned Senior Counsel submits that a bare perusal of the order would show that though it has been marked to the different district officials, the same was not marked to the petitioner. Learned Senior Counsel further submits that even the copy of the show cause was handed over to his office on 29.2.2024 and as such for four years, the petitioner was unaware of the order passed against him.

5. This Court has gone through the order of the District Magistrate as also the notice attached with the show cause filed by the office o G.A.-12. The Court finds both the submissions put forward by the learned Senior Counsel to be correct inasmuch as neither the name of the petitioner is inscribed in the order of the D.M. nor the show cause filed by



the opposite party no.5 on 19.6.2020 was served to the office of the learned Senior Counsel for the petitioner till 29.2.2024.

6. Under that circumstances, this Court is satisfied and holds that the petitioner came to know about the rejection order only on 29.2.2024 when the copy of the show cause was served upon the office of learned Senior Counsel.

7. Learned Senior Counsel submits that liberty may be granted to challenge the order.

8. Granting liberty to the petitioner to challenge the order of the District Magistrate cum Chairman, District Compassionate Committee, Gaya dated 31.3.2020, the contempt petition is disposed of.

(Rajiv Roy, J)

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