

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11220 of 2012

1. Pawan Kumar and Ors Son Of Late Jitendra Kumar Resident Of Mohalla - Amarpur Paijawa, P.O. - Patna City, P.S.- Mehandiganj, District - Patna
2. Amit Kumar Son Of Late Ram Bilas Prasad Resident Of Gurhatta, Mittan Ghat, Raipath Krishna Road, Adarsh Colony-I, P.O. - Patna City, P.S.- Khajekalan, District - Patna
3. Nitish Kumar Basak Son Of Late Nirmal Chandra Basak C/O Gopi Chandra Bhawan, Arya Kumar Road, P.O.- Bankipur, P.S. - Kadamkuan, District - Patna
4. Kamlesh Kumar Chaudhary Son Of Late Ram Nath Choudhary Resident Of Mohalla Nayagaon Laddu Akhara, P.O. - Gulzarbagh, P.S.- Alamganj, District - Patna
5. Bablu Kumar Paswan Son Of Late Tyagveer Prasad Resident Of Hajari Mohalla Khambhaka Akhara, Patna City, P.O. - Patna City, P.S.- Mehandiganj, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary-Cum-Finance Commissioner, Finance Department, Government Of Bihar, Patna
3. The Director Press And Stationery, Finance Department, Government Of Bihar, Patna
4. The Deputy Secretary Press And Stationary Finance Department, Government Of Bihar, Patna
5. The Superintendent , Secretriare Press, Government Of Bihar, Gulzarbagh, Patna
6. The Deputy Superintendent , Secretariate Press, Government Of Bihar, Gulzarbagh, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Anju Jha, Advocate
For the Respondent/s	:	Mrs. Binita Singh, SC-28
	:	Mr. vivek Anand Amritesh, AC to SC-28

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 19-01-2024

Heard Mrs. Anju Jha, learned counsel for the
petitioners and Mrs. Binita Singh, learned counsel appearing on
behalf of the State.



2. The present writ petition has been filed for direction to the respondents to make appointment of the petitioners on sanctioned and vacant posts of class-III in the office of Secretariate Press, Gulzarbagh, Patna.

3. Learned counsel for the petitioners submits that father of the petitioner no.1, namely, Late Jitendra Kumar while posted as Clerk in the office of Secretariate Press Gulzarbagh, Patna died in harness on 14.03.2004, father of the petitioner no.2, namely, Late Ram Vilas Prasad while posted as Reader in the office of Secretariate Press Gulzarbagh, Patna died in harness on 25.12.1997, father of the petitioner no.3, namely, Late Nirmal Chandra Basak while posted on the post of Assistant Section In-charge, in the office of Secretariate Press Gulzarbagh, Patna died in harness on 17.02.2003, father of the petitioner no.4, namely, Late Ram Nath Chaudhary while posted on the post of Machine Man in the office of Secretariate Press Gulzarbagh, Patna died in harness on 15.09.2001 and father of the petitioner no.5, namely, Late Tyagveer Prasad while posted as Pressman in the office of Secretariate Press Gulzarbagh, Patna died in harness on 12.08.2001. Thereafter, the petitioners were applied for the appointment on compassionate ground and the District Compassionate Appointment Committee vide its



letter dated 25.09.2004 has recommended the case of the petitioners for the appointment on class-III posts. Thereafter, the case of the petitioners were examined and it was found that there was no vacancy in the class-III posts, therefore, they were offered to be appointed on class-IV posts which was accepted by the petitioners and they were appointed on the class-IV posts in the year, 2006 itself.

4. Learned counsel for the petitioners further submits that despite of the recommendation of the District Compassionate Appointment Committee for the appointment on class-III and approval of the same by the Finance Commissioner, the petitioners were appointed on different places on the class-IV posts in the office of Secretariate Press Gulzarbagh, Patna and all the petitioners were appointed in the year, 2006 itself. In the year, 2012 the writ petition has been filed for direction upon the respondents to consider the case of the petitioners on class-III posts.

5. It appears that when the case of the petitioners was already considered in the year 2006 and they have been appointed on the class-IV posts where was the occasion to reconsider the case of the petitioners on the post of class-III posts. After joining on the class-IV posts in the year 2006, the present



writ petition has been filed in the year 2012.

6. Considering the facts and circumstances of the case, there is no merit in the writ petition. Accordingly, the writ petition is dismissed.

(Rajesh Kumar Verma, J)

ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2024
Transmission Date	NA

