

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8865 of 2016

Sarswati Devi wife of late Chandra Kant Mishra, Resident of Village-
Chandail, P.O.- Bakaur, P.S. and District- Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Education Department, Government of Bihar, Patna.
3. The Regional Deputy Director of Education Munger, Division, Munger, Bihar.
4. The District Officer, Khagariya, Bihar.
5. The District Education Officer, Khagariya, Bihar.
6. The District Programmed Officer Karyakaram Padadhikari, Education Department Khagariya, Bihar.
7. The Headmaster, SPM High School Rajadham, Maheshkhut, Khagariya, Bihar.
8. Pawan Kumar Mishra, son of Late Chandra Kant Mishra, resident of village-Chandail, P.O.- Bakaur, P.S. and District- Supaul at present Posted as Lipik Clerk in the SPM High School Rajadhanm, Maheshkhut, Khagariya, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Madhaw Prasad Yadaw, Advocate
For the Respondent/s : Mr. SC 19
For Respondent no. 8 : Mr. Kishore Kr. Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-04-2024 1. Heard learned counsel for the parties concerned.

2. The petitioner has filed the present writ application for canceling the compassionate appointment of respondent no. 8 on the ground of violation of terms and conditions of compassionate appointment by him. Respondent no. 8 happens to be the younger son of the petitioner. Petitioner's husband Chandra Kant Mishra died in harness on 18.02.2003, while he



was working as an Assistant Teacher in High School, Kanhaiyachak, Parvata, leaving behind his wife (petitioner) and other sons and daughters. The respondent no. 8, being the younger son of the petitioner, was admittedly, granted compassionate appointment, by letter dated 06.07.2005.

3. The contention of the petitioner is that respondent no. 8 has violated the terms and conditions of compassionate appointment. He is not taking care of the petitioner (mother) and accordingly, his appointment is liable to be cancelled.

4. Mr. Thakur, learned counsel for respondent no. 8 submits that without prejudice to the rights and contentions of respondent no. 8 and the fact that petitioner is getting family pension of Rs. 34,000/-, respondent no. 8 is ready to pay a sum of Rs. 3,000/- per month in favour of the petitioner in her Bank Account for her maintenance.

5. Learned counsel for the petitioner accepts the offer made by the respondent no. 8 and undertakes to supply the Bank Account Number of the petitioner to the learned counsel for respondent no. 8, within 10 days.

6. Accordingly, with the consent of the parties, the present writ application is disposed with a direction to respondent no. 8 to pay a sum of Rs. 3,000/- every month in the



Bank Account of his mother i.e. petitioner, till her lifetime, starting from first week of May, 2024.

7. With the aforesaid observations and directions, the writ application is disposed.

(Anil Kumar Sinha, J)

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