

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19641 of 2015

=====

Nesar Ahmad Son of Late Shekh Mahmood Resident of village - Nautan, P.S.
G.B. Nagar, District - Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Primary Education, New Secretariat, Govt. of Bihar, Patna
3. The Secretary, Primary Education, New Secretariat, Govt. of Bihar, Patna
4. The District Magistrate, Siwan, District Siwan
5. The District Education officer, Siwan, District - Siwan
6. The District Programme officer Establishment , Siwan, District Siwan
7. The Block Development officer, Maharajganj Block, District - Siwan
8. The Block Education officer, Maharajganj Block, District - Siwan

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh
For the Respondent/s	:	Mr. Sc10-Md. Raisul Haque
	:	Mr. Binay Kumar (Ac to Sc10)

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- | | | |
|---|------------|---|
| 3 | 15-03-2024 | <ol style="list-style-type: none">1. Heard the parties.2. The petitioner has filed the present writ application for grant of regular pay scale on the post of Prakhanda Teacher upon which the petitioner was appointed on compassionate ground. The petitioner is relying upon the judgment of Mukesh and Another vs. The State of Bihar and Others (2017) Vol. 5 SCC 383 and submits that in the light of aforesaid judgments, the respondents may be directed to grant regular pay scale to the petitioner.3. Learned counsel for the State submits that father of the |
|---|------------|---|



petitioner has died on 18.11.2008 i.e., after the cut off date of 01.07.2006. The Hon'ble Supreme Court, in the aforesaid judgment, has directed for grant of regular pay scale on Class 3 and Class 4 posts if the employee has died prior to 01.07.2006 and recommendation of the Committee on compassionate appointment was given prior to 01.07.2006.

4. I have heard learned counsel for the parties and taking into consideration the fact that the father of the petitioner died much after the cut off date of 01.07.2006 on 18.11.2008 and recommendation for compassionate appointment was forwarded on 03.09.2010, accordingly, I do not find any merit in this writ application.
5. Accordingly, the present writ application stands dismissed.

(Anil Kumar Sinha, J)

HarshPandey/-

U			
---	--	--	--

