

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7529 of 2018

Priya Kumari daughter of Late Chitranjan Kumar, Resident of Village-
Odhanpur, Post- Odhanpur, P.S.- Muffasil, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
3. The Secretary, Health Department, Government of Bihar, Patna.
4. The Commissioner Cum Secretary, Health Medical Education and Family Welfare Deptt., Govt. of Bihar,
5. The District Magistrate, Nawada, Bihar.
6. The Civil Surgeon Cum Chief Medical Officer, Nawada, Bihar.
7. The Incharge, Medical Officer, Primary Health Centre, Akbarpur, District- Nawada, Bihar. null null

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.
For the Respondent/s : Mr.Mustabul Haque -GP12

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-04-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for appointment of the petitioner on compassionate ground after death of her father for which required documents/certificates have already been submitted to the authorities as sought by them and with consequential benefits.

3. Counsel for the petitioner submits that father of the petitioner was appointed as Health Trainer vide order dated 14.02.1994 issued by Commissioner-cum- Secretary Health Medical Education and Family Welfare Department Government of Bihar, Patna on the pay scale of Rs.1400-2600. Counsel further submits that he had submitted his joining on



22.02.1994 and posted in the office of Civil Assistant, Surgeon -cum- Chief Medical Officer, Sitamarhi. He further submits that the petitioner's father was transferred time to time and at the relevant period, he was working as incharge Medical Officer, Akbarpur, Nawada as Health Trainer to the satisfaction of concern authorities.

4. Counsel further submits that petitioner's father died on 31.08.2011 while working as Health Trainer in the office of incharge Medical Officer Primary Health Centre Nawada, leaving behind his one son and two daughters. He further submits that the petitioner has passed B.A. (Hons) in History with second class. He submits that after death of petitioner's father, she applied for appointment on compassionate ground with proper format annexing relevant documents and affidavit before the office of Civil Surgeon.

5. Counsel further submits that her grievance has not been redressed and as such, the writ petition has been filed. He submits that counter-affidavit has been filed in which it is the clear stand taken by the State that the case of the petitioner was considered by the District Compassionate Committee, Nawada, who has rejected the claim of the petitioner on the ground that brother of the petitioner is working in Indian Army, therefore,



she cannot be appointed on compassionate ground. The decision of the committee is annexed as Annexure-A of the writ petition. He further submits that the petitioner is completely unaware about the decision of the Committee.

6. As such, it transpires to this Court that the Committee has taken decision in the year 2013 whereas the writ petition has been filed on 18.04.2018 in which the order of rejecting her claim for compassionate ground, has not been challenged. Hence, the present writ application become infructuous.

7. However, the petitioner shall be at liberty to challenge the said decision of the Compassionate Committee, rejecting the claim of the petitioner on compassionate appointment.

8. With the aforesaid direction, the present writ application is hereby dismissed as having become infructuous.

(Dr. Anshuman, J.)

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