

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19027 of 2021

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Dayanand Paswan S/o Late Ganesh Paswan Resident of Village-Kumarpur,
P.S.-Sultanganj, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Bihar, Patna.
2. The District Magistrate, Bhagalpur Cum The Chairman District Compassionate Committee, Bhagalpur.
3. The Senior Superintendent of Police, Bhagalpur.
4. The Police Inspector-cum-S.H.O., Sultanganj Police Station, Sultanganj, District-Bhagalpur.
5. The Circle Officer, Sultanganj, District-Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal, Adv.
For the Respondent/s : Mr.Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 06-03-2024

1. The present writ petition has been filed for directing the respondent-authorities to appoint the petitioner on compassionate ground in lieu of the death of his father in harness on 25.10.2015, while work as Chowkidar at Circle-Sultanganj, District-Bhagalpur.

2. The brief facts of the case are that the father of the petitioner, who was working as Chowkidar at Sultanganj Circle, District-Bhagalpur, died in harness on 25.10.2015, whereafter the petitioner had filed an application for compassionate employment immediately thereafter, nonetheless, the same has



stood rejected by the District Compassionate Appointment Committee, Bhagalpur headed by the District Magistrate, Bhagalpur, vide Minutes of Meeting dated 05.08.2019, as contained in Memo dated 02.09.2019 on the ground that the minimum qualification required for making application for appointment on compassionate ground is 10th pass, however, the petitioner does not possess the said qualification. Nonetheless, the petitioner had passed the matriculation exam in the month of June, 2020, whereafter, he had again applied for grant of compassionate employment, prior to expiry of the period of limitation of 5 years, commencing from the date of death of his father, i.e. 25.10.2015, which was also forwarded by the Circle Officer, Sultanganj to the In-charge Officer, District General Branch, Bhagalpur, however, admittedly no action has been taken upon the same.

3. The learned counsel for the respondent-State submits that the aforesaid application of the petitioner filed afresh, would definitely be considered within a stipulated time frame and a decision would be taken forthwith.

4. Having regard to the facts and circumstances of the case, considering the fact that the petitioner has acquired the necessary qualification, i.e. he has passed the matriculation



examination in the month of June, 2020 and applied immediately thereafter, afresh for appointment on compassionate ground, within the prescribed time limit of 5 years, specified for filing the application for appointment on compassionate ground, which has also been forwarded by the Circle Officer, Sultanganj, vide letter dated 29.10.2020, as aforesaid, I deem it fit and proper to direct the District Magistrate, Bhagalpur to place the aforesaid application of the petitioner for grant of compassionate employment before the District Compassionate Appointment Committee, Bhagalpur and take a final decision within a period of four weeks of receipt/production of a copy of this order, without being impeded by the earlier rejection of the case of the petitioner vide Minutes of Meeting dated 05.08.2018, as contained in Memo dated 02.09.2019.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.03.2024
Transmission Date	NA

