

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13035 of 2024

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1. Deepak Kumar Son of Sri Arun Kumar Mahto Resident of Village- Bardahi, P.O.- Bardaha, P.S.- Babubarahi, District- Madhubani.
 2. Prakash Kumar, Son of Late Parmanand Paswan Resident of Mohalla- Bela Shakar, Ward No.- 03, P.O.- Lalbagh, P.S.- L.N.M.U., District- Darbhanga.
- Petitioners.

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
 2. The Director, Primary Education, Government of Bihar, New Secretariat, Patna.
 3. The District Compassionate Appointment Committee, Madhubani through the District Magistrate its Chairman.
 4. The District Magistrate, Madhubani.
 5. The District Education Officer, Madhubani.
 6. The District Programme Officer, (Establishment), Madhubani.
- Respondents.

Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General
		Ms. Anukriti Jaipuriyar, AC to AG

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-09-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. By filing the present petition, the petitioners have approached before this Court for a direction to the respondents for consideration and appointment on compassionate ground by virtue of sudden death of their mother and father, who died in harness on 07.10.2018 and 03.08.2018 respectively, while working as Panchayat Teacher and an Assistant Teacher.

3. It is submitted on behalf of the petitioners that the



mother and father of petitioner nos.1 and 2 died in harness leaving behind legal heirs and representatives as their sons. The petitioners have persuaded and preferred applications with relevant/required documents for their appointment on compassionate ground before the concerned authorities, which was duly forwarded to the District Compassionate Appointment Committee, Madhubani but the decision for appointment is still awaited and they did not succeed to get compassionate appointment and compelled to move from door to door/office to office with folded hands, which is misuse of privilege/power of authorities and frustrates the aim and object of scheme for compassionate appointment.

4. It is further submitted that petitioners had represented repeatedly having tear in the eyes with legal expectation for settlement of their claims under ambit of scheme introduced by Government for betterment of life to the family of deceased employee, who died in service.

5. Having heard learned counsel for the petitioners and on perusal of record, in my considered view, no useful purpose would be served in keeping this writ petition pending. In such view of the matter, I direct the District Magistrate, Madhubani to take a decision on the applications of the



petitioners and pass a reasoned and speaking order within eight weeks from the date of receipt/production of a copy of this order before him.

6. It is made clear that the District Magistrate, Madhubani shall be held responsible for non-compliance of this order within the stipulated period.

7. With the aforesaid observation and direction, this writ petition stands disposed of.

(Anjani Kumar Sharan, J)

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