

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.691 of 2024

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Pankaj Kumar Son of Late Arjun Singh, resident of Village-Narauli, Police Station-Sirdala, Post Office-Laundh, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary-cum-the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Additioanl Chief Secretary-cum-the Principal Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna.
4. The Deputy Secretary, Personnel and Administrative Reforms Department, Govt. of Bihar, Patna.
5. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
6. The District Magistrate, Nawada.
7. The District Education Officer, Nawada.
8. The District Programme Officer (Establishment), Education, Nawada.
9. The Block Education Officer, Sirdala, District-Nawada.
10. The Block Panchayati Raj Officer, Sirdala, District-Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra
For the Respondent/s : Mr.Narendra Kumar, A.C. to G.P.20

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 15-03-2024

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ application has been filed for the
following relief/s:-

*“1. For issuance of an appropriate writ in
the nature of mandamus for commanding directing
the respondent authorities concerned to consider*



and appoint the petitioner on compassionate ground, as after death of his mother, namely, Saraswati Devi, who was a regular Assistant Teacher in Govt. Upgraded Middle School, Narauli, Anchal- Sirdala, District- Nawada, there is no one to look after the family economically and as per the policy decision of the State Govt. for betterment of the family one of the dependents of the deceased is being provided compassionate appointment.

(II). For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider and appoint the petitioner on compassionate ground keeping in view his educational qualification, as the petitioner after the death of his mother has applied for his compassionate appointment in the duly prescribed format, which has been duly recommended and forwarded by the Headmaster of Govt. Middle School Sirdala, Anchal – Sirdala, District – Nawada on 18.12.2021.

(III) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to select/appoint the petitioner on compassionate ground as several similarly situated dependents have already been appointed on compassionate ground whereas the petitioner has been deprived till date for the reasons best known to the



respondent authorities concerned.

(IV) For issuance of any other writ/writs, order/orders, direction/directions for which the petitioner would be entitled in the facts and circumstances of the present case.

3. Learned counsel for the petitioner submits that the petitioner's mother late Saraswati Devi, who was regular Assistant Teacher in Govt. Upgraded Middle School Narauli, Anchal- Sirdala, District- Nawada, died in harness on 27.04.2021 and the petitioner having requisite qualification of Intermediate with Computer knowledge, is entitled to be selected/appointed on compassionate ground. The application of the petitioner for his appointment on compassionate ground has been forwarded by the Headmaster of the Govt. Middle School, Sirdala, District- Nawada on 18.12.2021. It is further submitted that even after lapse of about three years, the application of the petitioner has not been considered.

4. Having considered the facts and circumstances mentioned above, this writ application is disposed of with a direction to the District Magistrate, Nawadah, who is Chairman of the District Compassionate Appointment Committee, to consider the case of the petitioner for appointment on compassionate ground and pass order in accordance with law within four months from the



date of receipt of this order.

5. Needless to say that, if the case of the petitioner for compassionate ground is not considered within the stipulated time, the Chairman of the District Compassionate Appointment Committee shall be personally held responsible for non-compliance of the order of this Court.
6. The present writ petition is disposed of on the aforesaid terms.

(Anjani Kumar Sharan, J)

pallavi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	20.03.2024
Transmission Date	N.A.

