

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17423 of 2024

Jonson Raj S/O Late Munna Kumar R/O Village- Udaypur, Post- Jagai, P.S.-
Ekangarsarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The D.G.P. Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Superintendent of Police, Bhagalpur.
5. The Deputy Inspector General of Police (East Zone), Bhagalpur.
6. The Deputy Superintendent of Police (Mu.-1), Bhagalpur.
7. The Deputy Superintendent of Police, constable Training School, Nathnagar, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate
For the Respondent/s : Mr. Raj Kishore Rai, Government Pleader 18

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-11-2024 Heard Mr. Raj Kishore Prasad, learned counsel

 appearing on behalf of the petitioner and Mr. Raj Kishore Rai,

 learned GP 18 for the State.

2. The petitioner in paragraph no. 1 of the present writ petition has sought *inter alia* following relief(s), which is reproduced hereinafter:-

“The instant writ petition is being filed for the issuance of a writ of mandamus and any other appropriate writ/writs, order/orders, direction/directions to the respondents-authority to make an appointment to the petitioner (serial no.3) on compassionate ground after setting aside the Memo No.1233 dated 23.3.2023 by the Senior



Superintendent of Police-cum-Chairman, Compassionate Committee, Bhagalpur as soon as possible and any other appropriate order and orders as your lordship may deem fit and proper befitting to the petitioner.”

3. The petitioner is aggrieved by the communication contained in Memo No.1233 dated 23.03.2023 containing decision of the District Compassionate Committee (Police), Bhagalpur, which has recommended that in the light of letter no.189 dated 09.09.2020, the petitioner's case can not be considered for considering his appointment on compassionate ground, accordingly, the competent authority has not taken any decision in respect of the petitioner on the basis of said recommendation of the Committee by passing a reasoned order after providing due opportunity of hearing to the petitioner in accordance with law.

4. Mr. Raj Kishore Rai, leaned GP 18 submitted that the decision of the Committee is self-contained and requires no interference. Therefore, there is no requirement that any competent authority will take any other decision as the Committee has finally concluded and the decision was communicated to the Sr.S.P., Bhagalpur-cum-Chairman, District Compassionate Committee.

5. Having considered the rival submissions made on



behalf of the parties, as well as, considering the fact that the petitioner has only been informed about the decision of the Committee though the Sr.S.P., Bhagalpur-cum-Chairman of the said Committee has not arrived at his own conclusion by providing due opportunity of hearing to the petitioner that as to why the case of the petitioner can not be considered for appointment on compassionate ground. I also find that the decision of the Committee only gives a brief information that in the light of some instruction contained in letter no.189 dated 09.09.2020, a decision has been taken to reject the application of the petitioner and the petitioner has been deprived of the ground for rejection of his application, which is certainly without providing the reasons for rejection.

6. The Sr.S.P., Bhagalpur-cum-Chairman of District Compassionate Committee is directed to expeditiously exercise his jurisdiction to consider the application of the petitioner for being appointed on compassionate ground and take a final decision after providing due opportunity to the petitioner providing him the detail reason on which the District Compassionate Committee (Police) recommended for rejection of the candidature of the petitioner.

7. With the above observation/direction, the present



writ petition stands disposed of.

(Purnendu Singh, J)

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