

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1662 of 2020

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Rimpal Kumari wife of Late Brijnandan Sharma, Resident of Village-
Nakhtaul, Post- Dumraith, P.S.- Bhabhua, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Shahabad, Ara.
4. The District Magistrate-cum Head of the Compassionate Appointment Committee, Kaimur, Bhabhua.
5. The District Education Officer, Kaimur, Bhabhua.
6. The Programme Officer, Establishment, Kaimur, Bhabhua.
7. The Block Education Officer, Bhabhua.
8. The Block Development Officer, Bhabhua-cum-Member Secretary, Block Teachers Employment Committee, Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar Upadhyay, Adv. Mr. Nupur Anand, Adv.
For the State	:	Mr. Abhanjalli

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 08-07-2024

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

2. By filing the present writ application, the petitioner
has prayed for issuance of a direction to the respondent
authorities to consider the case of the petitioner for
appointment on compassionate ground on the post of
Teacher/Class-III as the husband of the petitioner died in



harness on 26.03.2017 while he was working as Prakhand Shikshak in upgraded Middle School, Nakhtaul, Bhabua and further it is prayed that the petitioner may be appointed on said post forthwith as her family is facing acute financial crisis and/or pass such other order/orders to grant any other relief/reliefs for which the petitioner is found entitled to.

3. Learned counsel for the petitioner submits that the petitioner has filed several applications before the authorities for redressal of her grievances, but till date nothing was done nor any information in this regard has been given to her.

4. A counter-affidavit has been filed on behalf of respondent no. 6 stating therein that the petitioner is only Graduate. She has neither passed Teachers Eligibility Test (TET) nor possessed the required qualification of two years basic teachers training, therefore, she is not entitled to be appointed even as Panchayat Teacher.

5. Per contra, learned counsel for the petitioner submits that during the pendency of the present case, the petitioner has passed Teachers Eligibility Test (TET) and also completed required teachers training, which is essential



for appointment on the post of teacher.

6. After hearing learned counsels for the parties, it appears that the petitioner has passed Teacher Eligibility Test and also completed teachers' training and therefore, now she is eligible for appointment on compassionate ground.

7. In such view of the matter, this writ application is disposed of with a direction to the petitioner to file a detailed representation before the District Magistrate-cum-Head of the Compassionate Appointment Committee, Kaimur Bhabhua (respondent no.4) along with the supporting documents within a period of two weeks from the date of receipt/production of a copy of this order. The respondent no.4 is well advised to consider the representation of the petitioner and pass a reasoned and speaking order within a period of eight weeks from the date of filing of such representation by the petitioner after affording opportunity of personal hearing or through her counsel and if it is found that the petitioner is not eligible for appointment on the post of Teacher on compassionate ground, then she shall be considered for 4th Grade service.



8. It is made clear that the respondent no.4 shall be personally held responsible for non-compliance of this order within the stipulated period.

9. With the aforesaid direction and observation, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

divyanshi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.07.2024
Transmission Date	NA

