

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3510 of 2020

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Sara Tasneem D/o Late S.M. Irshad, R/o Village-Barui, P.S.-Sheikhpura,
District-Sheikhpura, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Cabinet Secretariat, Govt. of Bihar, Patna
2. The Principal secretary, Cabinet Secretariat, Govt. of Bihar, Patna.
3. The Director, Raj Bhasha, Govt. of Bihar, Officers Hostel/Flats, Opp, Bihar Museum, Baily Road, Patna.
4. The District Magistrate, Rohtas, Sasaram.
5. The Block Development Officer, Kargarh.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Kamaluddin, Advocate
For the Respondent/s : Mr. Md. Raisul Haque (SC-10)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 05-01-2024

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

2. The present writ petition has been filed
seeking appointment on compassionate ground due to death of
her father during his service tenure.

3. Learned counsel for the petitioner submits
that the father of the petitioner was working on the post of
Assistant Translator, Urdu at the Block Office, Karagahar, and



having clean service record throughout his tenure but during service he was murdered on 03.05.2010 and FIR in this regard was registered bearing Kargahar P.S. Case No.86 of 2010. Counsel submits that the father of the petitioner died leaving behind his wife and daughter (petitioner). He submits that the petitioner has completed Secondary Examination on 29.05.2011 and Senior Secondary Examination on 27.05.2011. The petitioner has filed application for compassionate appointment in the year 2014. Certain additional document was demanded and additional documents were filed on 25.07.2018. The petitioner has made representation to the Block Development Officer, Kargahar, vide letter dated 31.07.2018. She also wrote letter to the District Magistrate on 06.09.2019. When nothing happened, she has filed the instant writ petition.

4. Learned counsel for the State, on the other hand, submits that a detailed counter affidavit has been filed in this matter in which the entire situation have been discussed and decision of the Compassionate Committee has also been annexed, which is Annexure-E in which the case of the petitioner has been discussed in detail and reasons have also been assigned that under what circumstances her case for



compassionate appointment could not be considered. It has been stated in paragraph-9 of the counter affidavit that application for compassionate appointment was filed by the widow of the deceased employee, who was of more than 40 years. As such, she was not qualified to get the benefit of compassionate appointment as per resolution No.1735 dated 22.06.2006. The Director (Urdu) Raj Bhasha has to condone the age limit but in absence of required documents the application for compassionate appointment of the wife of the deceased employee was resolved to be rejected by the District Compassionate Committee on 18.02.2012. Counsel further submits that the petitioner has filed her application for compassionate appointment after five years of the death of his deceased father which is in gross violation of letter No.2822 dated 27.04.1995. Counsel further submits that the District Compassionate Committee has discussed the reasons for non-consideration of the case in detail which is Annexure-E at serial No.11.

5. After going through the discussions and reasonings, this Court is fully satisfied that the case of the petitioner was well considered by the Compassionate Committee and there is no scope of her appointment on



compassionate ground. Accordingly, this writ petition is dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.01.2024
Transmission Date	NA

