

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3772 of 2025

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Jitendra Kumar S/o Late Shivjee Paswan, R/o- Gosain Mohalla, Ward No.-12,
P.O. and P.S.- Bikramganj, District- Rohtas, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Rohtas, Bihar.
3. The District Compassionate Committee, Rohtas through its Chairman, the District Magistrate, Rohtas, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyan Shankar, Adv.
For the Respondent/s : Mr. S K Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-03-2025 Heard the parties.

2. The grievance of the petitioner is in narrow compass that while recommending the case of the petitioner for appointment on compassionate ground against Class-IV post by the District Compassionate Committee on 05.03.2021, the Committee has given a complete go-by to the circular/guidelines of the State Government contained in Memo No. 5958 dated 25.04.2012 as also in Memo No. 11462 dated 24.08.2016.

3. It is the contention of the petitioner that the respondent authorities were under obligation to consider the claim of the petitioner for his appointment on compassionate ground against any Class-III post in commensurate to his higher qualification. However, by ignoring the aforementioned guidelines, recommendation has been made by the District Compassionate



Committee to appoint the petitioner against Class-IV post. Referring to Annexure-6, learned Advocate for the petitioner further contended that in identical situation, when the respondent authorities failed to consider the legitimate entitlement of some of the claimant for compassionate appointment against Group-C post, despite having their higher qualification, they approached before this Court in CWJC No. 4817 of 2022. A learned Bench of this Court having considered the guidelines issued by the State Government in the Department of General Administration disposed off the writ petition directing the authorities to reconsider the petitioners claim for being granted the appointment on the post carrying grade pay of Rs. 1900/-, subject to the conditions contained in the above noted policy decision/s expeditiously and without any delay.

4. Learned Advocate for the State dispelling the aforesaid contention of the petitioner urged before this Court that the claim of the petitioner was duly considered by the District Compassionate Committee in accordance with the prescriptions provided under the guidelines and thereafter recommended for his appointment against the suitable post. Referring to Annexure-1 it is contended that there is no arbitrariness and discrimination on the part of the respondent



authorities. It is also contended that now the recommendation of the petitioner by the District Compassionate Committee has already been given effect to and the petitioner was appointed against his respective Class-IV post.

5. Considering the grievance of the petitioner qua the guidelines/circular issued by the State Government in the Department of General Administration as also the order passed by a Bench of this Court as contained in Annexure-7, it would be appropriate to dispose off the present writ petition in identical terms of the order dated 11.08.2022 passed in CWJC No. 4817 of 2022 with a liberty to the petitioner to file a detailed representation annexing the relevant circulars as well as the order of this Court, preferably within a period of four weeks, before the respondent no. 2.

6. In case such a representation is filed, the respondent District Compassionate Committee shall consider the claim of the petitioner afresh, in accordance with the guidelines aforementioned and pass a reasoned and speaking order, preferably within a period of four months, thereafter.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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