

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.885 of 2019

In
Civil Writ Jurisdiction Case No.4100 of 2017

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Atul Kumar Srivastava Son of Late Kamlawati Devi, Resident of Mohalla-
Ratanpura, Police Station-Bhagwan Bazar, District- Chapra (Saran)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Animesh Kumar Parashar, District Magistrate-Cum-Chairman District
Compassionate Appointment Committee, Gopalganj
3. Dr. Ashok Kumar Choudhary Civil Surgeon, Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Jitendra Prasad Singh, Advocate
For the State	:	Mr. Ajay Behari Sinha, GA-8

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 21-04-2025 This contempt petition has been filed alleging

violation of the order dated 28.11.2018 passed in C.W.J.C. No.

4100 of 2017, wherein this Court had passed the following

order:

“The aforesaid two documents
having been not looked into by the District
Magistrate, the order contained in Memo No.
47 dated 17.1.2017 is quashed. The matter is
remanded back to the District Magistrate,
Gopalganj to examine the case of the
petitioner after considering the legal value of
the judgment of the succession case as well
as the report of the Circle Officer and will



pass an order in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.”

2. Opposite Party No. 2 / District Magistrate-Cum-Chairman District Compassionate Appointment Committee, Gopalganj has filed a show cause and a supplementary show cause. In paragraph Nos. 5, 6 and 7 of the supplementary show cause it has been stated as under:

“5. That the District Compassionate Committee considered the claim of petitioner for compassionate appointment, in the meeting held on 12.01.2019, in the light of the order passed by the Hon’ble High Court and came to the conclusion that before taking final decision in the matter the Genealogy of petitioner, issued by the circle officer, Sadar, Chapra vide Certificate No. 445 dated 18.07.2014 by verified by the District Magistrate, Saran, Chapra and accordingly vide Letter no. 123 dated 11.02.2019 the copy of the said genealogy issued by the circle Officer, Sadar, Chapra was sent for verification.

6. That the required verification report was received vide letter no. 740 / Est. dated



30.05.2019 of Establishment Deputy Collector, Chhapra and thereafter legal opinion was sought from the Learned Government Pleader, Gopalganj regarding the adoption of petitioner in the light of succession certificate and thereafter matter was again put up before the meeting of District Compassionate Committee held on 17.10.2019 and the District compassionate committee after examining entire materials available on the record found that the documents available on the record does not prove that the petitioner is the adopted son of the deceased employee Late Kamalawti Devi.

7. That only to secure the Government Job the petitioner tried to create a story of adoption by obtaining a succession certificate by filing a succession case against his father Chhotan Prasad to receive the retiral benefit amount of deceased employee, which does not prove the adoption of petitioner by the deceased employee, therefore the claim of petitioner to be appointed on compassionate ground is rejected by the District compassionate committee.”

3. On perusal of paragraph Nos.5, 6 and 7 of the supplementary show cause filed by the Opposite Party No.2, I find that the order dated 28.11.2018 passed in C.W.J.C. No.4100 of 2017 has been complied with by the Opposite Party No. 2.



4. Accordingly, the contempt petition stands closed
and disposed of.

(Nani Tagia, J)

Narendra/-

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