

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7971 of 2023

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Bhanu Prakash S/o Late Hardeo Jha, Resident of Village - Mahna, P.S. -
Barauni, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. Principal Secretary Department Education Govt. of Bihar Patna.
3. Collector Begusarai.
4. D.E.O. Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Shruti Sinha, Advocate
For the Respondent/s	:	Mr. Subhash Chandra Mishra (SC-16) Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the parties.

2. The petitioner, who is the younger brother of late Girish Kumari, who died in harness on 29.09.2009 while working as Assistant Teacher in Kanya Madhya Vidhyalaya Mahna, District – Begusarai, has filed this writ petition seeking a direction for compassionate appointment contending that the deceased was unmarried at the time of her death and that the deceased had adopted the petitioner by a declaration made on stamp paper (Annexure-3 to the writ petition).

3. The appointment on compassionate ground can



only be made to a dependent of the deceased employee who dies in harness. In the instant case, the adoption of the petitioner is stated to have been made by the deceased by a declaration on stamp paper. Such a document cannot be treated as a valid document of adoption made under the law.

4. Under such circumstances, the petitioner cannot be considered as a dependent of the deceased and consequently no direction can be issued for appointment on compassionate ground as prayed for.

5. The writ petition, accordingly, stands dismissed being devoid of merit.

(Nani Tagia, J)

Nilmani/-

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