

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8041 of 2023

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Anita Kumari @ Anita Devi Wife of Late Manoj Kumar Resident of Village
and P.O.-Madhubani hat, P.S. Muffasil Motihari District-East Champaran at
Motihari. Petitioner/s

Versus

1. The State of Bihar through teh Director, Primary Education, Govt. of Bihar,
New Secretariat, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The District Education Officer, East Champaran at Motihari.
4. The District Programme Officer (Establishment), East Champaran at
Motihari.
5. The Block Education Officer, Motihari, P.O. and P.S.-Motihari, District-East
Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Madanjeet Kumar , GP-20

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 25-02-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. By filing the present application, the petitioner
seeks a direction upon the respondent authorities to consider her
claim/candidature for compassionate appointment by virtue of
death of her husband, who died in harness on 01.12.2018 as
Block Teacher.

3. A counter affidavit filed on behalf of respondent
nos.3 and 4 is on record. In para-6 of the counter affidavit, it is,
inter alia, stated that as per Clause 6 of the resolution of the
Education Department issued by the Deputy Secretary,



Education Department, vide its Memo No.1128 dated 21.08.2020, provisions has been made for Niyojan for compassionate ground of the dependents of the deceased, who died in harness on the post of Vidyalaya Sahayak or Vidyalaya Parichari, on the basis of their education qualification and application for the same to be submitted by the candidates before the concerned Niyojan Unit i.e. Zila Parishad/Nagar Nikaya, through the concerned District Education Officer. It is further stated that the District Education Officer, East Champaran, Motihari vide its letter no.928 dated 14.04.2022 has forwarded the application of two candidates to the Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, East Champaran, Motihari for Niyojan on compassionate ground in accordance with the departmental rules. In the said list, the name of the petitioner figures at serial no.36.

4. In such view of the matter, no useful purpose would be served in keeping this writ application pending. Accordingly, I direct the petitioner to file a fresh representation before the District Magistrate, East Champaran at Motihari (respondent no.2) along with all supporting documents within a period of two weeks and the respondent no.2, after receiving such



representation, would pass reasoned and speaking order within a period of eight weeks after affording opportunity of hearing to the petitioner, if necessary.

5. It is made clear that respondent no.2 shall be liable for non-compliance of this order within the stipulated period as aforesaid.

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

(Anjani Kumar Sharan, J)

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