

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL REVIEW No.125 of 2022**

**In**  
**Civil Writ Jurisdiction Case No.4856 of 2021**

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Ramesh Kumar Gupta @ Ramesh Kumar S/o Late Gulab Prasad, resident of  
Village- Kharagpur, P.S.- Sonvarsha, Kachahari, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Bihar Patna.
2. The Deputy Secretary, General Administration Department, Bihar, Patna.
3. The Under Secretary, General Administration Department, Bihar, Patna.
4. The Principal Secretary, Department of Education, Bihar, Patna.
5. The Director (Secondary Education), Bihar, Patna.
6. The District Compassionate Appointment Committee through its Chairman, Khagaria.
7. The District Magistrate cum Collector, Khagaria.
8. The Regional Deputy Director of Education, Saharsa.
9. The District Education Officer, Khagaria.
10. The District Public Grievance Redressal Office, Khagaria.
11. The Additional Collector, Public Grievance Redressal Officer, Khagaria.
12. The District Magistrate, Munger.
13. The District Education Officer, Munger.
14. The Head Master, Govt. High School, Ramganj, Sansarpur, Mansi, Distt.- Khagaria.

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                |
|----------------------------|---|--------------------------------|
| For the Petitioner/s       | : | Mr. Shailesh Kumar. Advocate   |
|                            |   | Mr. Shahbaj Alam, Advocate     |
| For the Opposite Party/s : |   | Mr. Prabhat Kumar Verma(AAG-3) |
|                            |   | Ms. Divya Verma, AC to AAG-3   |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      24-07-2025                      Heard the parties.

2. The present petition has been preferred for the grant of following relief(s):

*“against the order dated 30.03.2022 passed in C.W.J.C. No. 4856 of 2021, passed by Hon'ble Mr. Justice Sanjeev Prakash Sharma (as his lordship then was). Whereby and whereunder writ petition has been disposed of in light of Judgment dated 23.02.2022 passed in CWJC No. 5489/2020 (Suresh Ram Versus The State of Bihar & ors) and connected matter reported in 2022 (2) B.L.J., 381 and Judgment dated 7.03.2022, passed in C.W.J.C. No. 34/2022 (Meenakshi @ Sushri Meenakshi Versus The State of Bihar & Others) but the case of petitioner is not covered by the aforesaid judgment.”*

3. The writ petition was preferred for the grant of following relief(s):

*(I) For issuance of a writ of certiorari for quashing of Letter No. 2923 dated 17.12.2019*



*issued under the signature of Respondent No. 5, whereby and whereunder request was made to appoint the Petitioner by relaxing the age is rejected on a nonest ground.*

*(II) For issuance of writ of mandamus directing the Respondents particularly Respondent No. 7 and 9 to appoint the Petitioner on compassionate basis in the light of direction/observation of the District Public Grievance Redressal Officer/Respondent No. 10.*

*(III) For issuance of writ of mandamus by holding and declaring the actions of the Respondents in not appointing the Petitioner on compassionate basis for all these years is not only arbitrary but reflects the inhuman attitude and against the spirit of constitutional mandate.*

*(IV) For issuance of writ seeking direction by praying before the Hon'ble Court for allowing the Writ Application with cost to be realized from the erring and incapable Officers.*

*(V) For issuance of any other relief/reliefs which may deem fit and proper and for which the*



*petitioner may entitle.*

4. The claim of the petitioner is that in the writ petition, the prayer was made for compassionate appointment, which has to be taken care of, by the District Compassionate Committee, Khagaria (respondent No.6). Instead, in batch cases, the matter was disposed of in the light of Judgment dated 23.02.2022 passed in C.W.J.C. No. 5489/2020 (Suresh Ram Versus The State of Bihar & ors) reported in 2022 (2) B.L.J., 381. The present case has no connectivity with the aforesaid Suresh Ram v. The State of Bihar and others.

5. The learned State counsel supports the submission of learned counsel for the petitioner that the case was entirely different but in batch cases, it was also disposed off.

6. In that background, the Civil Review No.125 of 2022 is allowed, the order passed in C.W.J.C. No. 4856 of 2021 on 30.03.2022 is recalled. Let C.W.J.C. No.4856 of 2021, Ramesh Kumar Gupta v. The State of Bihar and Others, be placed before an appropriate Bench

7. Accordingly, the Civil Review stands disposed of.

**(Rajiv Roy, J)**

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