

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8638 of 2024

=====

Kumar Shivam Shekhar Son of Late Sunil Paswan, Resident of Village - New Area Maulabag, P.O. - Daudnagar, P.S. - Daudnagar, District - Aurangabad, Bihar - 824143.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Department, Govt. of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Sub-Divisional Officer, Daudnagar, District - Aurangabad.
4. The Block Development Officer, Daudnagar, District - Aurangabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Ms. Muskan Singh
For the Respondent/s	:	Mr. Ramadhan Singh
		G.P. 25

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL JUDGMENT

Date : 17-02-2025

Heard learned counsel for the petitioner and
learned counsel for the respondents-State.

2. It is a matter of compassionate appointment.

3. Father of the petitioner namely Sunil Paswan died in harness on 12.12.2017 while he was working as a Clerk in Sub-Divisional Office, Daudnagar, Aurangabad. Being a son of the deceased, the petitioner made his application for grant of compassionate appointment on 10.12.2022. Till date no decision



has been taken by the respondent on the application submitted by the petitioner. Therefore, it is prayed by the counsel that the respondent may be directed to consider the claim of the petitioner and pass reasoned order accordingly.

4. Counsel for the respondents submits that after submission of the application for grant of compassionate appointment the affidavit which has been sought by the department through Annexure-R-2/D is not submitted by the petitioner. Therefore, his application is still pending. He further submits that if the desired affidavit is filed by the petitioner then the matter will be considered and decided by the competent authority.

5. Taking into the submissions made by the counsels appearing for both the parties, the petition is disposed of with a direction to the petitioner to firstly comply with the direction given by the respondents through memo dated 10.07.2024 i.e. Annexure-R-2/D and file his desired affidavit positively within 3 weeks from today. On submission of such affidavit, the respondents are also directed to take a decision in the matter as early as possible preferably within 60 days from the date of submission of such affidavit according to relevant rules and law and further taking into consideration the



observation made by the Hon’ble Supreme Court in the case of
The State of West Bengal Vrs. Debabrata Tiwari & Ors.
reported in *2023 LiveLaw (SC) 175*.

(Arvind Singh Chandel , J)

shailendra/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	18.02.2025
Transmission Date	NA

