

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13009 of 2025

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Mamta Kumari Sharma D/o - Late Ashok Kumar Sharma, Resident of -
Shivganj, Sapna Cinema Road, Ward No.23, Arrah, Bhojpur, Bihar- 802301.
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The Director, Secondary Education, Bihar, Patna.
6. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Patna.
7. The Regional Deputy Director of Education, Patna Division.
8. The District Education Officer, Patna.
9. The District Program Officer, (Establishment) Patna.
10. Head Master, Higher Secondary Plus 2 School, Panditganj, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prince Kumar Mishra, Advocate Ms. Priyanka Kumari, Advocate Ms. Arunima Singh, Advocate
For the State	:	AC to SC-23
For the Zila Parishad	:	Mr. Nikesh Kumar, Advocate Mr. Akshansh Shankar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner, learned
AC to SC-23 and learned counsel for the Zila Parishad, Patna.

2. The petitioner has moved before this Court for
the following reliefs:-

*(i) For directing and commanding upon the
concerned respondents to appoint the petitioner on
compassionate ground as her father Late Ashok*



Kumar Sharma, died in harness on 12.09.2020, while posted as Aadesh Pal/Parichari in Higher Secondary +2 School, Panditganj, Patna.

(ii) For directing and commanding the respondent authorities to appoint the petitioner on compassionate ground on account of death of her father Late Ashok Kumar Sharma, Aadesh Pal/Parichari, on 12.09.2020, while posted Higher Secondary +2 School, Panditganj, Patna, and for which application of the petitioner has been duly forwarded by the Head Master of the School to the competent authority.

(iii) For any other relief(s) to which the petitioner may be entitled.

3. The learned counsel for the petitioner submits that the father of the petitioner Late Ashok Kumar Sharma was appointed on the post of Aadesh Pal/Parichari on 19.02.1985, who died in harness on 12.09.2020 while posted as Aadesh Pal/Parichari, Higher Secondary +2 School, Panditganj, Patna. It is the case of the petitioner that after the death of the father of the petitioner, she submitted an application for grant of compassionate appointment, which was forwarded on 23.06.2022 and despite submission of the application and the In-charge Head Master, Higher Secondary +2 School, Panditganj, Patna having forwarded the said application vide letter no.54



dated 12.05.2022 to the District Programme Officer (Establishment) Patna along with all necessary documents, no action is said to have been taken. It is next submitted that after lapse of more than a year the District Programme Officer (Establishment) Patna, forwarded the application of the petitioner vide letter no.2599 dated 09.08.2023 to Chief Executive Officer, Zila Parishad, Patna along with all the relevant documents for taking necessary steps for appointment of petitioner in terms of Resolution No.1128 dated 21.08.2020, issued by the Education Department, Government of Bihar.

4. It is the case of the petitioner that despite several representations having been made before the authorities concerned and regularly pursuing the cause, no decision has till date been communicated which resulted in filing of the present writ application.

5. On the other hand, the counsel for the Zila Parisha, Patna as well as the counsel for the State are of the view that the exercise has to be carried out by the authority competent in law, therefore, this case may be directed to be considered by the competent authority in accordance with law and the necessary consequential orders shall be communicated, once the decision is taken by the authorities.



6. Taking into account the submissions advanced on behalf of the parties, this Court is of the view that instead keeping the matter pending, it should be in the interest of justice as also in terms of dictum of the Hon'ble Apex Court that the matters for compassionate appointment are required to be decided at the earliest and for which time frame is also given and in the present case the counsel for the respondents proposes to decide the same at the earliest, and that too within three months from the date of receipt/production of a copy of this order.

7. In such view of matter, the authorities are directed to decide the claim of the petitioner within three months from the date of receipt/production of a copy of this order and all consequential benefits shall be settled in favour of the petitioner/deceased family.

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

(Ajit Kumar, J)

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