

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15347 of 2022

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Shekhar Kumar Son of Late Sanjay Azad resident of Village- Sikariya, P.O.-
Paharpur, Police Station- Garhani, Dist.- Bhojpur, (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The D.D.C., Patna.
4. The District Education Officer, Patna.
5. The District Programming Officer, Patna.
6. The Block Education Officer, (Primary Education and sarva Siksha Abhiyan), Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh, Advocate
For the Respondent/s : Mr. Madanjeet Kumar (GP-20)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

7 19-08-2025 Heard learned counsel for the parties.

2. This writ petition has been filed by the petitioner seeking a direction to the respondents to appoint the petitioner on compassionate ground by stating that the father of the petitioner died-in-harness while working as Teacher in Bihar Siksha Pariyojna Parisad, Block- Paliganj, Patna.

3. Respondent nos. 4 and 5 have filed a counter affidavit, wherein it has been stated that there is no scheme/provision for appointment on compassionate ground in Bihar Siksha Pariyojna Parisad, Block- Paliganj, Patna.

4. Learned counsel for the petitioner, in support of his



contention that the petitioner should be appointed on compassionate ground on account of his father having died-in-harness while working as Teacher in Bihar Siksha Pariyojna Parisad, Block- Paliganj, Patna, has placed reliance on the decision of this Court reported in **2020(2) PLJR 288 (Anita Kumari & Ors. Vs. The State of Bihar & Ors.)** to contend that the appointment on compassionate ground is a social security measure and in such matter of appointment, the appointing authority or the Court should not take a technical view of the matter.

5. The decision of this Court relied on by the learned counsel for the petitioner is a case pertaining to appointment on compassionate ground, where there existed the rules for appointment on compassionate ground, where this Court had made an observation that the matter of appointment on compassionate ground is a social security measure and appointing authority/Court must not take pedantic/technical view of the matter.

6. The decision relied on by the learned counsel for the petitioner will not be applicable in the instant case inasmuch as in that case, there existed a rule for appointment on compassionate ground, whereas in the instant case, there is no



such rule nor any scheme/provision for appointment on compassionate ground.

7. Since it is an admitted position that there is no scheme/provision for appointment on compassionate ground in Bihar Siksha Pariyojna Parisad, Block- Paliganj, Patna, no direction as sought for by the petitioner can be given to the respondents to appoint the petitioner on compassionate ground on account of his father having died-in-harness while working as Teacher therein.

8. The writ petition stands dismissed.

(Nani Tagia, J)

Amrendra/-

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