

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17658 of 2024

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Ajaz Ahmad Son of Late Hamid Hussain @ Shek Hamid Hussain, Resident of
Village- Sherganj, Ward No. 16, Police Station - Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Deputy Director of Education, Patna Division, Patna.
3. The District Compassionate Appointment Committee, through its Chairman, the District Magistrate, Bhojpur, Ara.
4. The District Programme Officer, Secondary Education, Bhojpur, Ara.
5. The District Education Officer, Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary
For the Respondent/s : Mr. Dimple Kumari, AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2025 1. Heard learned counsel for the petitioner and learned
AC to GP-11.

2. The learned counsel appearing on behalf of the State at the outset submits that the writ application be dismissed with cost for the reason that father of the petitioner died in the year 1979 when petitioner claims to be a minor and thereafter on attaining majority, he applied for seeking compassionate appointment in the year 1991. It is further submitted that though the application of the petitioner was not considered as such the petitioner moved this Court by filing CWJC No.10060/2023 and the said writ application was disposed of by an order dated



20.04.2024 with a direction to the petitioner to file a fresh representation before the respondent no.3 along with a copy of the order and other documents in support of his claim within a period of two weeks and the respondent no.3 was directed to consider the case of the petitioner and dispose of the representation of the petitioner after affording him opportunity of personal hearing to him or through his counsel and to pass a reasoned and speaking order in accordance with law within eight weeks from the date of filing of such representation.

3. The learned State counsel submits that petitioner in compliance of the order dated 20.04.2024 in CWJC No.10060/2023 filed a representation before the authority concerned which came to be rejected by an order contained in Memo No.1538 dated 17.09.2024 which is impugned in the instant writ application. The learned counsel for the State next submits that what is not in dispute rather stands admitted is that father of the petitioner died in the year 1979 and the petitioner for the first time moved before this Court in the year 2023 i.e. more than 43 years and this Court gave liberty to the petitioner to file a representation based on which the representation was filed and his candidature for being considered for compassionate appointment was rejected. It is further submitted that it appears



that petitioner is moving at his leisure when the basic principle of seeking compassionate appointment is to tide over the crisis to which the family has fallen in event of the death of bread earner but then petitioner even after surviving for more than 44 years is still chasing a mirage, as such, it is submitted that the writ application be dismissed with heavy cost.

4. The learned counsel appearing on behalf of the petitioner after arguing vehemently for some time realizing his difficulty seeks permission to withdraw the writ application.

5. Permission is accorded.

(Satyavrat Verma, J)

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