

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17902 of 2024

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Jitendra Kumar Singh son of Sadanand Singh, Resident of Daulatpur (Singh Bhawan, Gyatri Nagar), Police Station- Jamalpur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Superintendent of Education, District-Munger.
4. The District Magistrate-cum-Chairman, District Compassionate Committee, Munger.
5. The District Programme Officer, Establishment, District- Munger.
6. The Area Education Officer, Munger, District-Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah
For the Respondent/s : AC to GP-26

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2025 1. Heard learned counsel for the petitioner and learned AC to GP-26.

2. The learned counsel appearing on behalf of the State, at the outset, submits that compassionate appointment is an exception to Articles 14 and 16 of the Constitution of India. It is further submitted that compassionate appointment is given to tide over the crisis to which family of the bread earner has fallen on account of his death. It is further submitted that in the instant case, the mother of the petitioner died in the year 2001, the petitioner in accordance with law applied for seeking



compassionate appointment and the District Compassionate Committee allowed the case of the petitioner by an order dated 30.06.2006 with certain conditions. It is next submitted that in pursuance of the order passed by the District Compassionate Committee dated 30.06.2006, the authorities demanded certain documents from the petitioner for considering his case for appointment based on compassionate appointment, but then petitioner never provided the said documents, as such, the case of the petitioner remained pending.

3. The learned State counsel next submits that all of a sudden in the year 2024, the instant writ application has been filed. It is next submitted that petitioner in between 2006 till October, 2024 never moved before any forum seeking a direction upon the authorities for considering his case for compassionate appointment based on the recommendation of the District Compassionate Committee dated 30.06.2006 which amply demonstrates that petitioner was never in need of any compassion or else the petitioner would have approached the Court or any authority competent seeking direction for considering his case for compassionate appointment.

4. The learned State counsel further submits that it appears that the petitioner is moving at his leisure and a person



who sleeps over his right is not entitled for relief by the High Court under its extraordinary jurisdiction.

5. The learned counsel appearing on behalf of the petitioner is not in a position to rebut the submission of the learned counsel appearing on behalf of the State.

6. Considering the submissions made by the learned State counsel, the Court finds no merit in the writ application, it is accordingly, dismissed.

(Satyavrat Verma, J)

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