

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19385 of 2024

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Sapna Kumari, D/o Late Sudhakar Prasad Sharma, Resident of Village-Dakhinguan, Post and P.S Wazirganj, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health, Government of Bihar, Patna.
2. The Collector, Gaya.
3. The Collector Gaya cum District Compassionate Appointment Committee Gaya, District Gaya.
4. The Civil Surgeon cum Chief Medical Officer, Gaya.
5. The District Indigenous Medical Officer Gaya, District Deshi Sankyukta Hospital, District Board Campus, Gaya, District-Gaya.
6. The In-charge Medical Officer, Govt. Homeopathy Hospital, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Narayan, Adv.
For the Respondent/s : Mr. Sanjay Kumar, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-01-2025 Heard Mr. Amarendra Narayan, learned Advocate for the petitioner and Mr. Sanjay Kumar, learned Advocate for the State.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondent concerned to consider the case of the petitioner for her appointment on compassionate ground on any suitable post, as per her qualification on account of untimely death of her father, (Late) Sudhakar Prasad Sharma, who died in harness on 20.09.2019, while serving as pharmacist compounder (Daba Mishrak) in

Desi Sanyukta Hospital, District Board Campus, Gaya.

3. After the death of the father of the petitioner, she immediately filed an application for appointment on compassionate ground. In terms of the correspondences, all the necessary documents have been submitted before the concerned authorities. Despite the aforesaid facts, the matter has not been placed before the District Compassionate Committee due to which her case could not be considered and disposed of till date.

4. Learned Advocate for the State drawing the attention of this Court to Annexure-8 to the writ petition contended that certain documents have been asked for from the petitioner, but *prima facie* it appears that the same has not been handed over.

5. Learned Advocate for the petitioner in response to the aforesaid submissions, contended with all the fairness that all the documents have been submitted before the concerned respondent and this fact could also be clarified from Annexure-9 to the writ petition.

6. Having heard the respective parties, this Court is of the opinion that the very object of the compassionate appointment is to give immediate succor to the bereaved family, whose bread-earner died in harness leaving behind the family

members in financial crisis and penury. Non-consideration or delayed consideration would certainly defeat the very object of the compassionate appointment.

7. In the circumstances, the aforementioned respondent authorities are, hereby, directed to consider the claim of the petitioner for appointment on compassionate ground, as early as possible, but preferably within a period of three months from the date of receipt/production of a copy of this order.

8. The writ petition stands disposed of with the aforesaid directions.

(Harish Kumar, J.)

Jyoti Kumari/-

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