

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1938 of 2026

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Shambhu Paswan Son of Late Krishna Paswan, Resident of Village- Masaurhi
Dih, Ward No.10, Police Station- Masaurhi, District- Patna, Pin Code-
804452.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Additional Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Compassionate Appointment Committee, through its Chairman-cum-District Magistrate, Gaya, District- Gaya.
4. The District Magistrate-cum-Chairman of Compassionate Appointment Committee, Gaya, District- Gaya.
5. The Chief Engineer (South), Road Construction Department, Bihar, Patna.
6. The Superintending Engineer (South), Road Construction Department, Magadh Road Circle, Gaya.
7. The Executive Engineer, Road Construction Department, Sherghati, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate
For the Respondent/s : Government Advocate (08)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-02-2026 Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following relief (s) :-

*“1. (i) For issuance of writ in the nature of
Mandamus for commanding the respondent
authorities / Executive Engineer, Road
Construction Department, Sherghati, Gaya
respondent No. 6 to send the application of
petitioner for compassionate appointment dated
23.10.2024 to the Compassionate Appointment*



Committee under the Chairman of District Magistrate, Gaya in accordance with law in the interest of justice.

(ii) For further direction to the respondent authorities / Compassionate Appointment Committee to consider the application of the petitioner in its first meeting in accordance with law in the interest of justice.

(iii) For any other relief/reliefs admissible under the law in the light of factual profile of this case in the interest of Justice.”

3. It is the case of the petitioner that his father who was working on the post of Peon in the office of the Executive Engineer, Sherghati in the District of Gaya having died in harness on 1.4.2023, the petitioner filed a representation followed by an application for his appointment on compassionate ground on 30.9.2024.

4. In spite of more than a year and four months having passed since filing of his application, the respondents have still not decided his application nor any order of appointment has been communicated to him. As such the writ application.

5. In view of the facts and circumstances of the case, the instant writ application stands disposed of with a direction to the Executive Engineer, Road Construction Department, Sherghati, Gaya (respondent no. 7) to immediately forward the



application of the petitioner for compassionate appointment within two weeks of the receipt of a copy of this order to the District Magistrate- cum- Chairman of Compassionate Appointment Committee, Gaya (respondent no.4).

6. The Compassionate Committee shall decide upon the application of the petitioner within a period of two months from the date of its receipt and communicate its decision to the petitioner within the aforesaid period.

7. The writ application stands disposed of.

(Partha Sarthy, J)

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