

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4626 of 2026

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Kamlesh Yadav Son of Late Vasudev Yadav, Resident of Village- Kundla,
Post Office- Rajauli, Police Station- Rajauli, Circle- Rajauli, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home (Police), Govt. of Bihar, Patna.
2. The District Officer -Cum- Chairman District Compassionate Committee, Nawada.
3. The Superintendent of Police, Nawada.
4. The Deputy Development Commissioner, Nawada.
5. The Sub Divisional Officer, Rajauli, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar, Advocate
For the State	:	Mr. Manoj Kumar Ambastha (SC-26) Mr. Divit Vinod, (AC to SC-26)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

“1. For issuance of writ in the nature of certiorari for quashing the order dated 17.03.2025 passed in Memo No. 05/Mu/Sa dated 17.03.2025 issued under sign and signature of District Officer, Nawada, whereby and where under application for compassionate appointment of Kamlesh Prasad @ Kamlesh Yadav (Petitioner) dated 02.12.2023 has been rejected in place of his deceased father Late Vasudev Yadav who died on 29.11.2020 in the period of his service at



the post of Chaukidar in the Circle Office, Akbarpur, Nawada.

II. For issuance of a writ in the nature of Mandamus for commanding and directing the respondent authority to make compassionate appointment of the petitioner on the post of the deceased father Late Vasudev Yadav, Chaukidar under Circle Office, Akbarpur, Nawada who died during his service on 29.11.2020.

III. For issuance of writ/writs, direction/directions, order/ orders for which the petitioner found entitled.”

3. Learned counsel for the petitioner submits that the petitioner's father joined the service on the post of *Chowkidar* on 01.01.1990 under the Circle Officer, Akbarpur, Nawada and died on 29.11.2020 during his service period. Counsel submits that after the death of the petitioner's father, the petitioner, being his son, applied for compassionate appointment. However, the District Compassionate Appointment Committee, Nawada did not considered his case on the ground that he exceeded the maximum age limit of 40 years by 11 months and 1 day. He further submits that there is a provision in the Compassionate Appointment Scheme-2022 (Government of India) that relaxation on upper age if necessary, may be given. He further



submits that the Compassionate Appointment Scheme-2023 (Government of Bihar) also made scheme for relaxation of age, which has not been considered by the department.

4. Learned counsel for the State, on the other hand, raised objection and submits that admittedly, the petitioner's father died on 29.11.2020 and the death certificate was obtained on 15.12.2020. Therefore, the rule prevailing at the time of death of petitioner's father is applicable to the petitioner.

5. After hearing the parties, it transpires to this Court that there is subsistence in the argument of learned counsel for the State that rules governing the compassionate appointment, as applicable on the date of death of the petitioner's father, shall apply to the petitioner.

6. Hence, in this background, this Court is not inclined to grant any relief to the petitioner. Accordingly, this writ petition stands dismissed.

(Dr. Anshuman, J)

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