

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10469 of 2023

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Dharmendra Kumar Singh Son of Ram Bhaju Singh Resident of Village-
Nasariganj Ward No. 1, Yadav Tola, P.S.- Nasariganj, District- Rohtas at
Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department,
Patna.
2. The Additional Secretary, Finance Department, Patna.
3. The Principal Secretary, Department of Personnel Administration, Govt. of
Bihar, Patna.
4. The Director General of Police, Govt. of Bihar, Patna.
5. The District Magistrate, Rohtas at Sasaram.
6. The Superintendent of Police, Rohtas at Sasaram.
7. The Sub- Divisional Officer, Bikramganj, Rohtas at Sasaram.
8. The Circle Officer, Nasariganj, Rohtas at Sasaram.
9. The Officer Incharge, Nasariganj, Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mukul Jee, Advocate Mr. Sushant Kumar, Advocate Mr. Ranjit Kumar, Advocate
For the Respondent/s	:	Mr. Anil Kr. Singh, GP-26

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-03-2026 Heard learned counsel for the parties.

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

*“1. i. For quashing of the part of the order
/decision dated 09-06-2022 District
Compassionate Committee Rohtas headed by
the District Magistrate Rohtas at Sasaram
Contained in Memo no. 953 which was
Communicated to the petitioner under Right to
information Act 2005 vide Memo no. 1860
dated 12.11.2022 by the Senior Additional
Collector, Rohtas at Sasaram Whereby and*



whereunder the Claim for appointment of the petitioner on Compassionate ground has been rejected on the basis of one Criminal case against him.

ii. For making appointment of the petitioner on the Compassionate ground because his father died in harness in Course of Service as Chaukidar posted at Nasariganj Police Station District Rohtas at Sasaram.

iii. For the petitioner further prays for direction to the respondents authorities to consider the case of the petitioner for his appointment on any post on Compassionate ground in the District Rohtas at Sasaram.

And/or

For any other appropriate relief/ relief(s) to the petitioner for which he may be found entitled in the eye of law.

A Copy of Memo No. 1860 dated 12.11.22 alongwith Memo no. 953 dated 9-6-2022 with enclosures are being annexed herewith and marked as Annexure-1 Series to this application.”

3. It is the case of the petitioner that the father of the petitioner, who was working as a *Chowkidar* in Nasariganj Police Station, died in harness on 5.9.2018. The petitioner filed his application for appointment on compassionate ground in the year 2018, which came to be considered by the respondent authorities and the District Compassionate Committee by its order contained in Memo no. 953 dated 9.6.2022, rejected the petitioner's application on the grounds that as per the report



received from the Circle Officer, Nasariganj contained in his letter no. 72 dated 27.1.2020, the petitioner had been made an FIR accused.

4. Learned counsel for the petitioner submits that while the application was filed by him in the year 2018 for appointment on compassionate ground, he came to be falsely implicated in a criminal case for which an FIR was registered on 24.4.2020 being Nasariganj P.S. Case no. 90 of 2019 under different sections of the Indian Penal Code. Learned counsel submits that by order dated 21.3.2024 passed in G.R no. 611 of 2019 by the learned Additional Chief Judicial Magistrate III, Bikramganj (Rohtas), the petitioner was discharged in connection with the aforesaid Nasariganj P.S case no. 90 of 2019. It is submitted that the petitioner filed a representation informing the respondents of his having been discharged in the case and for consideration of his appointment on compassionate ground, however, neither the petitioner has been appointed nor has he received any order/information with respect to his appointment.

5. In response, it is submitted by learned counsel for the respondents that the case of the petitioner was considered by the District Compassionate Committee and by order dated



9.6.2022, the application of the petitioner came to be rejected on the ground of the petitioner being accused in a criminal case. It is further submitted that it is true that subsequent to the petitioner being discharged, the application of the petitioner has not been considered afresh.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this not only being a case of acquittal but that of a discharge from a criminal case, the writ application is disposed of directing the respondent- District Compassionate Committee, Rohtas, Sasaram to reconsider the case of the petitioner for his appointment on compassionate ground in place of his father.

7. The petitioner shall file a representation along with a copy of this order and the District Compassionate Committee shall consider the case of the petitioner within a period of six weeks from the date of receipt/production of a copy of this order.

8. The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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