

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14297 of 2025

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Rahul Kumar Kharwar Son of Late Duja Prasad Kharwar, Resident of
Village- Kuchhila, P.O.- Kuchhila, P.S.- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

1. The Vir Kunwar Singh University, Ara through its Registrar.
2. The Vice Chancellor Vir Kunwar Singh University, Ara.
3. The Registrar, Vir Kunwar Singh University, Ara.
4. The H.D. Jain College, Ara, through its Principal.
5. The Principal, H.D. Jain College, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Manini Jaiswal, Adv.
For the Respondent/s	:	Mr. Rajesh Prasad Choudhary, Adv.
For the University	:	Mr. Abhinav Raj, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 22-01-2026 Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondent authorities of the University to consider the case of the petitioner for his appointment on compassionate ground on any of the Class-III post, based upon his educational qualification in H D Jain College, Ara, due to unfortunate demise of his father, who died in harness on 03.02.2017 , while working as peon in the college, in question.

3. This Court is apprised that the matter pertaining to appointment of the petitioner on compassionate ground was



placed before the compassionate appointment committee of the University and it was resolved that the petitioner will be appointed on compassionate ground against the vacant post of his late father, who was Class-IV employee. The petitioner, however, requested that he has all the qualification to be appointed for Class-III post, therefore his case should be considered for appointment on Class-III post.

4. In view of the request made by the petitioner, the committee resolved to take present status of Class-III post from the concerned college. The college, vide its Letter No. 420/GI/25 dated 09.06.2025, informed that there are 19 posts of Class-III in the college and against all the posts, employees are working and, as such, no post of Class-III is vacant in the college.

5. The aforementioned contention brought before this Court by filing a counter affidavit on behalf of the respondent no. 3 has been refuted by the learned Advocate for the petitioner. It is submitted that Class-III posts in the college are still vacant, which can be verified afresh. It has also been informed to this Court that vide Notification dated 15.01.2026 bearing Memo No. Sthapana/108/Estab/2026, five persons have been promoted from the post of lower division clerk to upper



division clerk. In view of the subsequent development, it is the contention of the learned Advocate for the petitioner that now the posts are vacant and there is no impediment to consider the case of the petitioner for Class-III post at par with his educational qualification.

6. Mr. Abhinav Raj, learned Advocate for the University submits at the bar that while considering the appointment on compassionate ground, the petitioner cannot claim for a choice post. It is a compassion that is available in terms with the rules and guidelines, subject to the availability of the post.

7. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the averments made in the reply filed by the petitioner, especially with respect to the notification dated 15.01.2026, this Court deems it apt and proper to dispose off the writ petition with a direction to the Registrar, Veer Kunwar Singh University to consider and place the case of the petitioner before the compassionate appointment committee of the University, which shall take up the case of the petitioner for his appointment, considering the availability of the vacancies against Class-III or Class-IV post and pass appropriate order for his appointment on



compassionate ground.

8. The entire exercise must be completed preferably within a period of eight weeks, from the date of receipt/production of a copy of this order.

9. Accordingly, the writ petition stands disposed off.

(Harish Kumar, J)

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