

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16144 of 2022

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Rambabu Mali, S/o Late Mishri Mali, R/o Kunwari Devi Chowk, Kolhuarwa,
P.S. Town, Motihari, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Housing and Urban Development, Government of Bihar.
2. The Principal Secretary, Department of Housing and Urban Development, Government of Bihar.
3. The District Magistrate, East Champaran at Motihari.
4. Municipal Corporation, Motihari through its Municipal Commissioner.
5. The Chairman, Municipal Corporation, Motihari.
6. The Municipal Commissioner, Municipal Corporation, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Sanjay Parasmani, Advocate
For the State	:	Mr. Subhash Prasad Singh, GA-3
		Mr. Dilip Kumar, AC to GA-3
For the Municipal Corp. : (Motihari)	:	Mr. Surendra Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

10 13-03-2026 Heard learned counsel for the petitioner and learned
counsel for the respondent-Municipal Corporation, Motihari
(hereinafter referred to as 'the Corporation').

2. The instant application has been filed by the
petitioner praying for his appointment on compassionate ground
on account of the death of his mother, who died in harness on
21.10.2020 while working as a *Safai Karamchhari* on regular
basis in the Nagar Parishad, Motihari.

3. It is submitted by learned counsel for the petitioner



that his mother having died on 21.10.2020, inspite of the petitioner having filed his application in the prescribed proforma for appointment on compassionate ground on 10.5.2021, neither the petitioner was appointed nor any order has been passed by the respondent-Corporation appointing the petitioner. It was these circumstances which lead to the petitioner filing the instant application for a direction to the respondent-Corporation to appoint the petitioner on compassionate ground.

4. It is submitted by learned counsel for the Corporation that a counter affidavit has been filed that the post having been reconstituted, there is no post available on which the petitioner may be appointed. However, it is not disputed that no order has been passed by the respondent authority or the Compassionate Committee under the respondent-Corporation considering the application of the petitioner.

5. In view of the facts and circumstances of the case, it is directed that the petitioner will file a representation before the Municipal Commissioner, Municipal Corporation, Motihari (respondent no.6) within a period of three weeks from today along with a copy of this order.

6. The respondent no.6/the Compassionate Committee of the Municipal Corporation shall decide the application with



respect to compassionate appointment of the petitioner within a period of three months from the date of its filing and shall communicate the results thereof to the petitioner.

7. In case the aforesaid exercise is not carried out by the Municipal Commissioner/the Compassionate Committee within the time fixed, the petitioner shall be entitled for a cost of Rs.20,000/- which shall be recovered by the Corporation from the erring Official.

8. The writ application stands disposed of.

(Partha Sarthy, J)

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