

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.835 of 2025

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Ganesh Chandra Tiwari s/o Late Brahmanand Tiwari, resident of Village-
Barhetta Road, P.S.-Bahadurpur, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. Regional Deputy Director, Education, Darbhana Pramandal, Darbhanga.
3. The District Magistrate cum Chairman District Compassionate Committee,
Darbhanga, District-Darbhangha.
4. District Education Officer (DEO) Darbhanga, District-Darbhangha.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Pratap, Advocate
For the Respondent/s : Mr. Government Pleader (02)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-06-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for issuance
of appropriate writ/writs, order/orders, direction/directions for
the following relief/s:-

*“I. For issuance of an appropriate writ in the
nature of CERTIORARI for quashing the
order/decision dated 29.08.2024 passed by the
District Compassionate Committee, Patna
vide memo no. 529 dated 29.08.2024 issued
under the signature of the Respondent No.-3
whereby and whereunder the application
submitted by the petitioner for compassionate
appointment in Group-D category was*



rejected on account of his brother being gainfully employed as a Lipik (Clerk) in the service of the state government.

II. For issuance of an appropriate writ in the nature of MANDAMUS for commanding and directing the respondent authorities particularly the Respondent No.-3 to appoint the petitioner in Group-D category on compassionate ground as he is entitled to be appointed on compassionate ground after death of his father, namely, Late Bramhanand Tiwary, who died in harness on 14.01.2014 while working as a stenographer in the office of District Education Officer, Darbhanga, District-Darbhangha.

III. For issuance of an appropriate writ in the nature of Mandamus, Commanding and directing the respondent no.-3 to appoint the petitioner in place of his deceased father on the compassionate ground.

IV. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioners would be entitled under the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the petitioner had earlier moved before this Hon'ble Court in C.W.J.C. No. 3816 of 2024 which was disposed off *vide* order



dated 22.03.2024 with a direction to the District Compassionate Appointment Committee, Darbhanga, headed by the District Magistrate, Darbhanga to examine the case of the petitioner, afresh, in light of the judgment, rendered by the Full Bench of this Court in the case of *Niraj Kumar Mallick Vs. The State of Bihar & Ors.* reported in *2018 (2) PLJR 951* and take a decision, forthwith. Counsel submits that the rejection has been made on the basis that the brother of the petitioner is earning Rs. 10,39,200/- (Rupees Ten Lacs Thirty Nine Thousand Two Hundred) per annum and the family pension is Rs. 1,31,340/- (Rupees One Lakh Thirty One Thousand Three Hundred Fourty) per annum. In this way, the total family income is Rs. 11,70,540/- (Rupees Eleven Lacs Seventy Thousand Five Hundred Fourty) per annum. Counsel further submits that the brother of the petitioner is not supporting the family and the contention of the District Compassionate Appointment Committee is not correct.

4. Learned counsel for the State, on the other hand, submits that the decision of the District Compassionate Appointment Committee is not wrong. The only point raised by learned counsel for the petitioner is that the brother is not supporting the family.



5. Upon perusal of the record, it transpires to this Court that the counter affidavit has been received by the counsel for the petitioner on 18.03.2025, but no rejoinder has been filed till date and also there is nothing on record by virtue of which, the Court become convinced that the brother of the petitioner is not supporting the family.

6. In this view of the matter, this Court finds that there is no need of any interference in the impugned order dated 29.08.2024 passed by the District Compassionate Committee. Hence, this writ petition stands dismissed.

(Dr. Anshuman, J)

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