

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8015 of 2016

Prem Kumar Yadav, son of late Mahendra Roy, resident of Gram Dhukham Saraiya, P.O.- Raghunathpur, P.S. - Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, New Secretariat, Patna.
3. The District Compassionate Committee, Muzaffarpur through District Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. The District Programme Officer (Establishment), Muzaffarpur.
6. The Block Education Extension Officer, Kurhani, Muzaffarpur.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kishore, Advocate
Mr. Jai Kishor Poddar, Advocate
For the Respondent/s : Mr. Harish Kumar, GP-8
Mr. AC to GP-8

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date: 19-03-2018

Heard learned counsel for the petitioner and State.

The petitioner has filed the present writ application for a direction to the respondents to consider his case for compassionate appointment.

In the counter affidavit filed by respondent District Programme Officer (Establishment), Muzaffarpur, the following stand has been in para 8:

“8. That on the basis of the documents submitted by the aforesaid Block Development Officer this deponent has already sent a letter to the Block Development Officer-cum-Secretary Block



Teacher Appointment Committee, Kurhani, vide letter no. -4678 dated 28.10.2016 for making the appointment of the petitioner on compassionate ground to the post of Block Teacher in terms of the Bihar Panchayat / Nagar Elementary Teacher (Appointment and Service Condition) Rule 2006/2008 in pursuance of Notification no.-2955 dated 22.06.2009 issued by Peronnel and Administrative Reforms Department, Bihar, Patna and so the grievance of the petitioner has been redressed at the level of this deponent because for ensuring the issuance of appointment letter and posting of the petitioner is concerned to Block Development Officer, Kurhani/ B. E. O., Kurhani.”

From, perusal of the statement made in para 8 of the counter the Block Development Officer and the Block Education Officer, Kurhani, Muzaffarpur are required to do the needful.

In view of the above, the writ application is disposed of with a direction to the Block Development Officer and the Block Education Officer, Kurhani, Muzaffarpur to take final decision, if not already taken, within a period of 60 days from the date of receipt/production of a copy of this order and pass appropriate order for compassionate appointment of the petitioner in the light of the statement of the District Programme Officer (Establishment) Muzaffarpur indicated in para 8 of the counter affidavit.

It goes without say that respondent Block



Development Officer and the Block Education Officer, Kurhani, Muzaffarpur while taking decision will keep in mind the recommendation made in favour of the petitioner vide Annexure-1 and 1/1.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.03.2018
Transmission Date	

