

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11796 of 2018

Sudhanshu Kumar Son of late Awadhesh Kumar Singh Resident of Village Nandpur, P.S. Basantpur, District- Siwan at Present Civil Court (Nazarat) Office,Muzaffarpur.

.... Petitioner/s
Versus

1. The State of Bihar through Principal Secretary, Department of General Administration, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Government of Bihar Patna.
3. Registrar General, Hon'ble High Court of Judicature at Patna.
4. District & Session Judge, Muzaffarpur.
5. Compassionate Appointment Committee, Muzaffarpur Civil Court through Registrar, Civil Court, Muzaffarpur.

.... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Md. Imteyaz Ahmad, Advocate
		Mr. Pravin Kumar, Advocate
		Smt. Babita Kumari, Advocate
For the State	:	Mr. Manish Kumar -GP4
		Mr. Ajay Kumar, AC to GP4
For the Respondents	:	Mr. Bindhyachal Singh, Advocate
		Ms. Smriti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 31-08-2018 Heard the parties.

In the present writ petition, the petitioner is seeking relief for appointment on compassionate ground as having stated that his father was permanent Class IV employee in Civil Court, Muzaffarpur and he died in harness during service period. Prayer has been made that for the sustenance of the family, the petitioner should be appointed so that he will be able to look after the financial condition of the family.



Learned counsel for the petitioner has placed reliance on the order passed by this Court in L.P.A. No. 2390 of 2016 dated 18.07.2017 upon which learned counsel for Civil Court submits that this judgment will apply to those cases related to a period before the period of ceiling was 3% or 5%, but after enforcement of ceiling of 5 percent only on that basis the person can be given compassionate appointment.

In such view of the matter, this Court directs Civil Court, Muzaffarpur to consider the case of the petitioner in terms of Rule with respect to the appointment on compassionate ground.

With the aforesaid observations and directions this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/Sunny

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