

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7227 of 2008

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1. Bishwanath Singh, son of Singheshwar Prasad Singh, resident of village Mahwa, P.S. Motipur and District Muzaffarpur
 2. Ajay Singh, son of Chandradeo Singh, resident of village lakhan Sen, P.S. Basuraj and District Muzaffarpur
 3. Dhanjit Das, son of Mithu Das, resident of village Baruraj, P.S. Baruraj and District Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Muzffarpur
3. District Development Officer, Muzaffarpur
4. Superintendent of Police, Muzaffarpur
5. Block Development Officer, Motipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md.Sabir Hussain

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 26-03-2015 Heard learned counsel for the petitioners and learned Government Advocate No. 1.

Three petitioners, who were appointed as Chaukidars and removed in the year 1991 have filed the present writ petition in the year 2008 with a prayer to direct the respondents to re-instate the petitioners in terms of order dated 22.5.1997 passed in C.W.J.C. No. 2205 of 1996 and order dated 30.1.1995 passed in C.W.J.C. No. 9193 of 1993 as well as order dated 2.9.1997 passed in L.P.A. No. 913 of 1997.

Learned counsel for the petitioners has firstly placed reliance on Annexure – 1 to the writ petition i.e. an order dated

22.5.1997 passed in C.W.J.C. No. 2205 of 1996. He submits that similar relief was granted by this court in respect of similarly situated persons. He submits that the cancellation of appointment of similar Chaukidars were already quashed by this court vide order dated 30.1.1995 passed in C.W.J.C. No.9193 of 1993. It has been argued that since the order of termination of similarly situated Chaukidars were already set aside by this court, the petitioners are entitled to be re-instated in the same manner. Fact remains that their termination order was passed in the year 1991 and even in C.W.J.C. No. 2205 of 1996 on 22.5.1997 while disposing of the writ petition this court had not directed to re-instate but only disposed of the matter with direction to the respondent / District Magistrate, Muzaffarpur, to examine the grievances of the petitioner and pass fresh order.

Keeping in view the fact that petitioners slumbered over their right for a quite long time i.e. termination order was of the year 1991 and writ petition was filed in the month of May 2008, the court is of the opinion that no relief can be granted.

The writ petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

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