

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7930 of 2014

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1. Syed Affaquddin Ahmad son of Dr. Syed Rafiuddin Ahmad resident of Mohalla-Dariyapur, Dumri House, P.S.- Purbahore and District- Patna

.... Petitioner/s

Versus

1. The State of Bihar, through its Principal Secretary, Home Department, Bihar, Patna
2. Secretary-Cum-Commissioner, Home (Special) Department, Government of Bihar, Main Secretariat, Patna
3. Special Secretary, Home (Police) Department, Government of Bihar, Main Secretariat, Patna
4. Commandant General, Bihar Home Guards, Chhajjubagh, Patna
5. Deputy Commandant General, Bihar Home Guards Chhajjubagh, Patna
6. Commandant, Bihar Home Guard, Chhajjubagh, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar

For the Respondent/s : Mr. GP 16

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 27-07-2016

The impugned order contained in Annexure- 1 has been passed after due consideration of the factual position and actual position with regard to the petitioner and his claim for absorption in the Home Guard.

It is evident from reading of the order passed by the Principal Secretary, Home, Government of Bihar that the petitioner had never been engaged or appointed in the Home Guard. He may have represented the organization as a footballer at one juncture or the other but that has already been dealt with as to the circumstances why

such an occasion or opportunity arose for the petitioner. The football team which was created with regard to certain Followers does not exist any more as the battalion in question has already gone to State of Jharkhand.

Obviously, the previous writ application was filed by the petitioner without stating the correct factual position with regard to his engagement or so-called appointment or his selection as football player under the Home Guard.

Writ application does not require any interference since Annexure- 1 does not suffer from any infirmity.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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AFR/NAFR	NAFR
CAV DATE	
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