

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12785 of 2013

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1. Chandan Paswan Son Of Kangali Paswan Resident Of Village + P.O. Ganganiya, P.S. Sultanganj, District - Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Home Police Department, Government Of Bihar, Patna
2. The District Magistrate, Bhagalpur, District - Bhagalpur
3. The Superintendent Of Police, Bhagalpur, District - Bhagalpur
4. The Sub - Divisional Officer, Bhagalpur, District - Bhagalpur
5. The Circle Officer, Sultanganj, District - Bhagalpur
6. The Chairman Of Police, Sultanganj, District - Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra,
Mr. Dhananjay Kumar Gupta
For the State : Mr. Sunil Kumar Mandal, SC 3
Ms. Neelam Kumari, AC to SC 3.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 28-09-2016

Heard learned counsel for the petitioner and learned counsel for the State.

In the present writ petition, petitioner is claiming that though his name has been recommended for being appointed on the post of Chaukidar on the basis of the fact that his father was also a Chaukidar but he has not been appointed. After enactment of Chaukidari Act it is no longer hereditary right and no one could claim right of inheritance.

Learned counsel for the petitioner submits that application of the petitioner is still pending and same has not been disposed of. He further submits that petitioner has applied for the post of Chaukidar and recommendation has been made before

enhancement of educational qualification by the State of Bihar.

Learned counsel for the State in the counter affidavit has stated that petitioner has not been selected only on the ground that he does not possess the requisite qualification as requisite qualification is matriculation and as such no such relief could be granted to him.

Admittedly application of the petitioner is pending for consideration before the authority concerned. Accordingly authority concerned is directed to take a decision in accordance with law.

For convenience, petitioner is directed to file a detailed representation before the authority concerned and authority concerned will examine the case of the petitioner and pass a reasoned order after giving proper opportunity of hearing to him within a period of two months from the date of filing of the representation.

With the aforesaid observation and direction this writ petition is disposed of.

Vinay/-

(Shivaji Pandey, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	3.10.2016
Transmission Date	