

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4305 of 2015

Sanjay Kumar Son of Sri Bishwanath Singh resident of Krishnapuri- Parvatiya Tola, P.s. - Mufassil, P.O. Belbagh District West Champaran. Bettiah, presently posted as Deputy Commandant, 27 Battalion, Shashtra Seema Bal, Narkatiaganj,,west Champaran.

.... Petitioner

Versus

1. The Union of India through the secretary, Ministry of Home Affairs New Delhi.
2. The Secretary, Ministry of Home Affairs, Govt of India, New Delhi.
3. The Secretary, Department of Personnel and Training , Govt of India, New Delhi.
4. The Director General, Shashtra Seema Bal, Ministry of Home Affairs, Govt of India, New Delhi.
5. The Inspector General(Personnel), Shashtra Seema Bal, Ministry of Home Affairs, Govt of India, New Delhi
6. The Assistant Director (Personnel) , Shashtra Seema Bal, Ministry of Home Affairs, Govt. of India, New Delhi.
7. Sri Ravinder Kumar, office of the Commandant, 6th Bn, SSB Khaira, P.O. Khazira, District Jamui, Bihar- 811317
8. Sri Ramji Das Sharma, office of the Inspector General, Ftr Hqrs. SSB, Patna, Rukunpura House, Rukunpura, Bailey Road, District Patna, Bihar 800014
9. Shri Manohar Lal, office of the Commandant, 32nd Bn. SSB, Howly, Near B.H.College, Howly, District Barpeta, Assam- 781316
10. Shri B.R.Chauhan, office of the DG, SSB, East Block- V, R.K.Puram, New Delhi- 110046
11. Shri V.S.Jamwal, office of the DIG, Training Centre, SSB Sapri, P.O. Jawamukhi, District Kangra, H.P.- 176031
12. Shri Ajay Sharma, office of the Commandant, 60th Bn., SSB Rangia, P.O. Rangia, District Kamrup, Assam- 781354
13. Shri I.P.Upadhyay, office of the Commandant, 57th Bn., SSB Jeolikote, District Nainital, Uttarkhand- 263127
14. Shri Brijpal Singh Negi, office of the Commandant, 33rd Bn., Tulsibari, P.O. Kamrup, Assam- 781354
15. Shri Harish Chand Joshi, office of the DIG, SHQ, SSB Purnia, Post Box No. 25, District Purnia, Bihar, Pin 854301
16. Shri Ashoke Biswas, office of the Commandant, 63rd Bn., SSB Brasat, P.O. Sadhanpur, District 24 Pargana (North), WB, Pin- 743221
17. Shri Sunil Dutt, office of the Commandant, 21st Bn., SSB Bagha, PO Mangalpur, Via Naraipur, District West Champaran, Bihar- 845105
18. Shri G.S.Udawat, office of the Commandant, 17th Bn., Falakata, PO Falakata, District Jalpaiguri, West Bengal- 735211
19. Shri Shri B.C.Joshi, office of the Commandant, 7th Bn., Nanpara, PO Nanpara, District Bahraich, UP, Pin 271865
20. Shri Shekhar Bajaj, Deputation with NIA
21. Shri Alok Sah, resigned from Govt. Service
22. Shri Prakash, office of the Commandant, 47th Bn., SSB Skims Soura, PO Nowshera, District Srinagar, J & K Pin 190011
23. Shri Mahendra P Singh, office of the DG, SSB, East Block- V, R.K.Puram, Nw

Delhi- 110046

24. Shri Swaranjit Sharma, office of the Commandant, 15th Bn., SSB Kagalgaon, PO Dhaligaon, District Shirang, Btad, Assam- 783385
25. Shri Govind S Bhandari, office of the Commandant, 15th Bn., SSB Kagalgaon, PO Dhaligaon, District Shirang, Btad, Assam- 783385
26. Shri S.B. Chand, office of the DIG, Frontier Academy, SSB, C/o Post Master Gwaldam, Via Almora, Uttarkhand, Pin- 246441
27. Shri C. Bhattacharjee, office of the Commandant, 54th Bn., Bijni at Bongaigaon, PO and District Bongaigaon, Assam- 783380
28. Shri Surendra Vikram, office of the commandant, 62 Bn., Devendra Nagar, PO Khalihamari, District Sonitpur, Assam- 784026
29. Shri Rajan K. Shrivastava, office of the Commandant, 24th Bn., SSB Nandini Nagar, PO Nandani Nagar, District Durg, Chhattisgarh- 490036
30. Shri Barjeet Singh, office of the Commandant, 43rd Bn., TAC Hqrs. Gulshan Nagar, PO Beghimehtab, PS Chhanpura, District Budgam, J & K 190019
31. Shri Nandan S Mehra, office of the Commandant, 49th Bn., SSB Ranchi, Village Khatanga, PO Sugnu, House No. 30, District Ranchi, Jharkhand- 835103
32. Shri Rajesh Singh, office of the Commandant, 12th Bn., SSB, Kishanganj, Near NH-31, Baba Biscuit Confectionery, PO + District Kishanganj, Bihar 855107
33. Shri Girish Ch Pandey, office of the DIG, SHQ, SSB Almora, PO and District Almora, Uttarakhand, Pin- 263601
34. Shri Divya Ranjan Singh, office of the Commandant, TC SSB Kumarsain, PO Kumarsain, the Rampur Bushar, Distt. Shimla, HP PIn- 172029
35. Shri Rajendra Kumar, office of the Commandant 8th Bn., SSB Bhinga, PO Bhinga, District Shrawasti (UP) Pin- 271831
36. Shri Anil K. Pathania, office of the Dy. Inspector General Training Centre, SSB, Shamshi, PO Shamshi, District Kullu (HP), Pin- 175126
37. Shri Ram Krishan Dogra, office of the Commandant, 25th Bn., SSB Ghitorni, PO Arjungarh, Ghotorni, New Delhi, Pin- 110047
38. Shri S. Zangsuan Mung, AC (GD), office of the Commandant 18th Bn., SSB, Birpur, PO Birpur, District Supaul (Bihar), Pin- 855116
39. Shri Janardan Mishra, office of the Commandant 50th Bn., SSB, Tulsipur, M/s Himalyan Flovours & Fragrance Pvt. Ltd. Building, Near Railway Station, PO Tulsipur, (UP), Pin- 271208
40. Shri Sanjay Pandey, office of the Commandant 9th Bn., SSB, Balrampur, PO + District Balrampur (UP), Pin- 271201
41. Shri Parag Chaturvedi, office of the Commandant 22nd Bn., SSB Baruwari, PO Sonapur, District Kamrup (Metro) (Assam), Pin- 782404
42. Shri Vinod Kr. Talwar, office of the Inspector General, Frontier Hqrs., SSB, Ranikhet, Sewa, Bhawan (Ganiyadeoli), Ranikhet, District Almora, (Uttarkhand), Pin- 263645
43. Shri Anil Kumar Singh, office of the Commandant 24th Bn., SSB, Nandini Nagar, PO Nandini Nagar, District Durg (Chattisgarh) Pin- 490036
44. Shri J. Gopal Namsarudra, office of the Commandant 51st Bn., SSB, Sitamarhi-II, Camp at Ramnagar (Hanuman Mandir), PO Sonbarsa, PS Kanhauli, District Sitamarhi (Bihar), Pin- 843330
45. Shri Lokesh Kumar Singh, office of the Commandant 39th Bn., SSB, Palia Kalan, PO Palia Kalan, District Lakhimpur Kheri (UP) Pin- 262902
46. Shri P.K.Rai, office of the Commandant 45th Bn., SSB Motihari, Banjariya Pandal, Bazar Samiti Complex, PO Motihari, District East Champaran, (Bihar) Pin 845401
47. Shri Achintya Mitra, office of the Commandant, 56th Bn., SSB, Barasat, village

Admadanga, PO Sadhanpur, District 24 Parganas (North) (WB) Pin- 743221

48. Shri Bharat Singh, office of the Commandant, 9th Bn., SSB, Balrampur, PO + District Balrampur (UP), Pin- 271201

49. Shri Narayan Ram AC (GD), office of the Commandant 3rd Bn., SSB, Lakhimpur Kheri, PO Medinia, Sarna Farm, District Lakhimpur Kheri (Uttanchal) Pin- 262701

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Verma, Sr.Adv.
Mr. Anjan Singh, Adv.
Mr. Prashant Sinha, Adv.
For the UOI : Mr. Sanjay Kumar(ASG)
For the private respondents: Mr. Lalit Kishor, Sr.Adv.
Mr. Ranjit Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 16-09-2016

Writ application is disposed of after quashing Annexures 5 and 6, which are dated 21st May, 2013 and 21st August, 2013, with an observation that keeping in mind the development which emerges from the decision rendered by the Hon'ble Apex Court in the case of Union of India & ors. v. N.R.Parmar & ors., reported in (2012)13 SCC 340, as well as subsequent circular issued by the Union of India dated 4th March, 2014, petitioner will be free to file a fresh application, keeping in mind above two issues, for fresh consideration by the respondents.

In view of above, Court does not express any opinion on the merit of the case.

A decision in this regard should be taken preferably within a period of four months from the date of filing of such an application

with a copy of this order.

(Ajay Kumar Tripathi, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.9.2016
Transmission Date	NA