

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17929 of 2008

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1. Nirbhay Mishra, son of late Radha Krishna Mishra, resident of Mohalla-Keshrinagar, P.S.- Patliputra, District- Patna.
 2. Krishna Mohan Singh, son of late Ram Khelawan Singh, resident of Mohalla-Sristabad, P.S.-Gardanibagh, District- Patna.
 3. Narendra Singh, son of late Lalbanshi Singh, resident of Mohalla-Keshrinagar, P.S.-Patliputra, District- Patna.

.... Petitioners

Versus

1. The Union of India through the Secretary, Ministry of Home Affairs, Mantralaya, New Delhi.
2. The Secretary, Ministry of Railway, Rail Mantralaya, New Delhi.
3. The Director General of Civil Defence, R.K. Puram, New Delhi.
4. The Dy. Director General (Home Guard) Ministry of Home Affairs, R.K. Puram, New Delhi.
5. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
6. The Special Secretary, Department of Home Special, Secretariat, Patna.
7. Director General-cum-Commandant General, Bihar Home Guard, Chhajubagh, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha, Advocate
Mr. Sushil Kumar Jha, Advocate.
For the Union of India : Mr. Anjani Kumar Sharan, Asst. S.G.
For the State : Mr. Neeraj Raj, A.C. to G.A.-8

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 10-01-2018

Heard the parties.

These petitioners are holding the President's Medal for gallantry, claiming that they should be given the same benefit and privilege as that of the general Police Force and Fire Service.



Admittedly, the Home Guard is a quite different and distinct from regular police force. The Government has to decide, privilege and benefit to the person having been decorated by President's award, is policy which cannot be interfered with or issue the writ of *mandamus* to grant certain extra benefit or privilege.

In such view of the matter, let the petitioners file a proper representation before the Secretary, Ministry of Home, New Delhi, who will take decision about the claim which has been made by the petitioners with regard to the privilege and benefit of those Home Guards, who have been awarded the Presidential gallantry award within a period of four months from the date of filing of representation by the petitioners.

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

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	12.01.2018
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