

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13561 of 2017

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1. Hira Lal Srivastava, S/o Late Parshuram Lal, Resident of Village- Rajpur Police Station- Rajpur, District- Buxar.
 2. Bhuneshwar Paswan, S/o Late Ramjatan Paswan, resident of Village- Orap, P.S.- Itarhi, District- Buxar.
 3. Suchit Yadav, S/o Late Keshav Yadav, Resident of Village-Chhotaki Absoli, P.S. - Industrial Area, District- Buxar.
 4. Shivjee Paswan, S/o Late Nagina Paswan, resident of Village- Jawahi, Jagdishpur, Police Station- Brahmipur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Home Department, Government of Bihar, Old Secretariat, Patna.
3. The District Collector, Buxar.
4. The Superintendent of Police, Buxar.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Rang Nath Choubey
For the Respondent/s : Mr. Sheo Shankar Pd.,SC-8

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-04-2018 The petitioners by way of present writ petition have prayed for directing the respondents to appoint their sons on the post of Chaukidar/ Dafadar on the basis of notification dated 05.03.2014.

The brief facts of the case are that the petitioner no. 1 worked as a Dafardar and superannuated on 06.11.2014. The petitioner no. 2 worked as a Chaukidar and retired on 30.11.2014. As far as the petitioner no. 3 is concerned, he retired on 11.11.2014 while posted as Chaukidar and the petitioner no. 4



retired on 30.11.2015 while posted as Chaukidar.

According to the resolution of the State Government dated 05.03.2014, Annexure-1 to the petition, those Chaukidars who have attained the age of 55 years or more and have completed 20 years of service, would be entitled for applying for voluntary retirement and in case they are granted voluntary retirement, they would be entitled to nominate one of their dependents for the purposes of appointment.

In the present case, admittedly the petitioners herein have superannuated from their services upon attaining the age of retirement and they have neither taken nor have been granted voluntary retirement, hence there is no provision in the aforesaid scheme for appointment of the sons of the petitioners herein in place of the petitioners.

In view of the aforesaid, no relief can be granted to the petitioners herein, hence the writ petition is dismissed.

(Mohit Kumar Shah, J)

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