

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11920 of 2014

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Gango Paswan, S/O Late Ramashish Paswan, Resident of Village- Haripur, P.S.-
Rosera, Distt- Samastipur

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home, Deptt. of Home
Police, Govt. of Bihar, Old Secretariat, Patna
2. The District Magistrate-cum-Collector, Samastipur
3. The Superintendent of Police, Rosera, Samastipur
4. The Circle officer, Rossera, Samastipur

.... Respondents

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Appearance :

For the Petitioner : Mr. Abhimanyu Sharma, Advocate

For the State : Mr. Harish Kumar, GP 8

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 07-08-2018

Heard counsel for the petitioner and counsel for the State.

The petitioner has approached this Court with a grievance that though he has been nominated by his paternal grand father for appointment as 'Chaukidar' upon his retirement but his claim has been rejected on the ground that the letter dated 20.12.1995 issued by the Home Ministry, Government of Bihar bearing Memo No. 11287 does not provide for appointment of nominated paternal grand son and that the same is claimed to be appointed nominated maternal grand son (Nati). The claim of the petitioner has been rejected by the District Selection Committee in its meeting dated 29.05.2003.

This writ petition has been filed in 2014, again making a claim relying upon the declarations made by this Court in C.W.J.C. No. 33 of 2007 vide order dated 04.07.2011 that the State cannot



discriminate between the paternal and maternal grandson nominees.

The issue stood decided by the authorities much prior to the said declaration made by this Court and therefore, now about 14 years later there is no scope for reopening that issue.

The petitioner’s counsel seeks liberty to approach the authorities concerned for his appointment on the basis of Annexure 5 i.e. letter dated 30.07.2013 issued by the office of the Superintendent of Police, Samastipur.

For whatever it may be worth the right of the petitioner with reference to Annexure 5, would be open to the authorities to consider. With the liberty as aforesaid, the writ petition is disposed off.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	8.8.2018
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