

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13016 of 2010

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Panchanand Rai, S/O Late Gulo Rai, resident of village - Bhorsara, P.S.-
Chandan, Dist.-Banka.

... .. Petitioner

Versus

1. The State of Bihar
2. The Deputy Secretary, Chief Minister Secretariat, Patna.
3. The District Magistrate, Banka.
4. The S.P. Banka.
5. The Sub Divisional Officer, Banka.
6. The Circle Officer, Chandan, Dist.-Banka.
7. Officer-In-Charge, Chandan, P.S. + Dist.-Banka..

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Satya Narayan Mishra, Advocate
For the Respondent/s	:	Mr. Ajay, G.A.-5
		Mr. Ashish Kumar Lal, A.C. to G.A.-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 09-05-2018

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

In this case, the petitioner is seeking his
reinstatement as 'Chaukidar'.

Learned counsel for the State has taken a plea that
the petitioner was never appointed, so the question of his
reinstatement does not arise.

In turn, learned counsel for the petitioner has
submitted that petitioner has worked as Chaukidar in circle no.3,
beat no.5 under Chandan Police Station since 1994 and he was



given assurance that he will be appointed as Chaukidar in terms of the procedure provided for the selection of Chaukidar.

Learned counsel for the petitioner has drawn the attention of this Court to the recommendation of the Circle Officer to the Sub Divisional Officer, from where it appears that the Circle Officer has recommended for the appointment of the petitioner as Chaukidar.

The power to select and appoint Chaukidar lies with the Committee headed by the District Magistrate. If any vacancy is notified, the petitioner will be at liberty to apply for the same and the authority will take decision in accordance with law considering the past services, if any, rendered by him. At the time of selection, if it is found that the petitioner is overage, the proper relaxation of age will be granted to the petitioner.

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

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N/A.
CAV DATE	N/A.
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Transmission Date	N/A.

