

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16771 of 2010

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UPENDRA PASWAN S/O DOMI PASWAN R/O VILL.- LATAUNA, P.S.-
TRIVENIGANJ, DISTT.- SUPAUL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE SECRETARY (HOME)
GOVERNMENT OF BIHAR, PATNA
2. THE DISTRICT ESTABLISHMENT COMMITTEE, SUPAUL THROUGH
THE DISTRICT MAGISTRATE, SUPAUL
3. THE DISTRICT MAGISTRATE, SUPAUL
4. THE SUB-DIVISIONAL OFFICER, TRIVENIGANJ, DISTT.- SUPAUL
5. THE SUPERINTENDENT OF POLICE, SUPAUL
6. THE OFFICER IN-CHARGE, TRIVENIGANJ POLICE STATION, DISTT.-
SUPAUL

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedy
For the Respondent/s : Mr. (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-06-2018 The petitioner by way of the present writ petition has prayed for setting aside the decision taken by the District Establishment Committee, Supaul in its meeting held on 17.09.2004 whereby and whereunder the candidature of the petitioner for appointment on the post of Chaukidar has been rejected on an erroneous ground that the petitioner could not produce any evidence with regard to discharge of duty by him as Evaji Chaukidar prior to 31.12.1989.

Admittedly, no proof is available either on record or elsewhere with regard to the petitioner having discharged duty as Evaji Chaukidar prior to 31.12.1989.



Moreover, the learned counsel for the Respondents submits that prior to 01.01.1990, there was a scheme for appointment of the dependent of the retired Chaukidar, however, thereafter, the said scheme has been discontinued. In such view of the matter, it is submitted that though the petitioner in the present writ petition has claimed that his father retired on 31.12.1989, but the fact is that in the original application of the petitioner, the date of retirement of the petitioner has been mentioned as 27.03.1990. In such view of the matter, it is submitted by the learned counsel for the Respondents, which is not controverted by the learned counsel for the petitioner, that after 01.01.1990, there was no scheme for appointment of dependent of the retired Chaukidar, hence the petitioner cannot be granted any appointment.

For the reasons mentioned hereinabove, there is no merit in the present writ petition. Accordingly, the present writ petition is dismissed.

(Mohit Kumar Shah, J)

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