

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24433 of 2013

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Bishundeo Paswan Son Of Late Manik Paswan Resident Of Village
Chandrahi, P.S. Dhamdaha, District – Purnea Petitioner

Versus

1. The State Of Bihar Through The District Magistrate/Collector, Purnea
 2. The District Chaukidari Padadhikari, Purnea
 3. The Superintendent Of Police, Purnea
 4. The Sub-Divisional Officer, Dhamdaha, District - Purnea
 5. The Anchal Adhikari At Dhamdaha, Purnea Null Null
 6. The Officer-In-Charge Of Dhamdaha Police Station Within The District
Of Purnea Respondents
- =====

Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate and
Mr. Navin Kumar, Advocate
For the Respondents : Mr. Raghwanand, GA 11 and
Mr. S.K.Tiwari, AC to GA 11

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner claims to be working on the post of
Chaukidar upon his appointment on the said post under Rule 35 of
the Bihar Chaukidar Manual and letter no.10129 dated 6.11.1991
of the Home (Police), Bihar, Patna. Earlier he had approached this
Court by filing C.W.J.C.No. 8576 of 2003. Under order dated
7.1.2010 this Court had allowed the petitioner to represent his
claim before the Collector, Purnea. Pursuant thereto, as per stand
of the State Government in the counter affidavit, the petitioner was
allowed personal hearing and in spite of opportunity he failed to
establish relation with the earlier Chaukidar Late Ayodhi Hazra



and was found disqualified for the said post in terms of the Chaukidar Manual.

Petitioner therefore has no legally enforceable claim to the said post as he was not a relative of Late Ayodhi Hazra in whose place he was claiming appointment and was not appointed as Chaukidar. It is the stand of the State Government that the petitioner did not even produce the letter of appointment.

Aforesaid position has not been denied or disputed by the petitioner by filing re-joinder to the counter affidavit.

The writ petition is devoid of merit and is dismissed.

(Madhuresh Prasad, J)

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