

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10268 of 2018

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1. Shri Vrijnandan Singh @ Marchu Singh, S/o Late Ramawautar Singh, resident of Village- Rampur Dumra, P.S. Hathidah, District- Patna.
 2. Ranjeet Kumar, S/o Vrijnandan Singh @ Marchu Singh, Resident of Village- Rampur Dumra, P.S.- Hathidah, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Bihar, Patna.
2. The Principal Secretary, Home Department, Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Additional Secretary, Home Department, Bihar, Patna.
5. The District Magistrate, Patna.
6. The Senior Superintendent of Police, Patna.
7. The Circle Officer, Mokama, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Singh, Advocate
Mr. Sushil Kumar Ray, Advocate
For the Respondent/s : Mr. Partha Sarthi –GA

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-07-2018

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

In the present case petitioners is challenging the order dated 08.01.2018 issued by the District Magistrate, Patna by which the claim of petitioner no.2 has been rejected on the ground that petitioner no.2 in his an application for compassionate appointment has shown the name of the father as Vrijnandan Singh, whereas the matriculation certificate shows as Marchu Singh.

Learned counsel for the petitioners submits that the



appointment letter of the petitioner no.1 itself shows the name as Virjnandan Singh @ Marchu Singh so he has two names, one is the Vrijnandan Singh @ Marchu Singh and in the certificate his second name is recorded as Marchu Singh, Vrijnandan Singh and Marchu Singh is one and same person and rejection of claim of the petitioner by the District Magistrate, Patna is completely illegal and not sustainable.

Learned counsel for the State submits that it can only be looked into by the District Magistrate, Patna and for that the petitioner should file a representation before him.

In such view of the matter, this Court directs petitioner no.2 to file a detailed representation giving all facts as prima facie it appears that the name of father of Ranjeet Kumar is Vrijnandan Singh @ Marchu Singh which is apparently clear from the appointment letter which was issued at the initial stage.

If petitioner no.2 files such representation, the District Magistrate is directed to dispose of the same within a period of three months from date of date of filing of representation.

If the District Magistrate, Patna is not satisfied with the plea of the petitioner no.2, the District Magistrate is directed to pass a reasoned order after giving opportunity of hearing him.

Accordingly the rejection order dated 08.01.2018 is hereby



quashed.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	1.8.2018
Transmission Date	NA

