

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9411 of 2015

1. Arvind Kumar Singh Son of Late Sri Taj Singh resident of village- Vasant, P.S.- Aurai, District - Muzaffarpur.
2. Jai Nandan Prasad Singh Son of Late Kailash Singh resident of village - Purushottampur, P.S. - Maniyari, District- Muzaffarpur.
3. Suresh Jha Son of Late Ram Narayan Jha, resident of village- Vasant, P.S.- Aurai, District - Muzaffarpur.
4. Mahesh Mahto son of Late Bengali Mahto, resident of village- Bairaya, P.S.- Ahiyapur, District- Muzaffarpur.
5. Mukesh Kumar Singh Son of Sri Shatrudhan Prasad Singh resident of village- Taravishnupur, P.S.- Sakra, District- Muzaffarpur.
6. Pawan Kumar Singh Son of Ram Kripal Singh resident of village - Govind FulKahan, P.S.- Kanti, District- Muzaffarpur.
7. Ranjit Kumar Son of late Nageshwar Rai , resident of village- Madapur, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioners

Versus

1. The State Of Bihar through the Director General of Police, Bihar
2. Sahayak Samadesta - Sah Maha Nideshak -cum-Aganishamak Seva, Bihar Home Guard Jawan , Head Quarter, Patna
3. UP Maha Samdesta , Bihar Home Guard Vahini, Head Quarter, Patna.
4. District Commandant, Bihar Home Gaurd Vahini, Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioners : Mr. Neeraj Kumar Alias Sanidh, Advocate
For the Respondents : Mr. Sanjay Kumar- AC to SC5

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioners
and learned counsel for the Respondent-State.

2. It is submitted by the petitioners' counsel that the petitioners', who are members of the Home Guard, would be entitled at least the minimum duty allowance which is being paid to the



police personnel of the State, having regard to the observation of the Hon'ble Apex Court in the case of ***Grah Rakshak Home Guards Welfare Association vs. Himachal Pradesh and others*** arising out of a Civil Appeal No. 2759 of 2015. The right claimed on the basis of pronouncements of the Hon'ble Apex Court were required to be asserted by the petitioners before the Authorities.

3. Instead of doing so, petitioners have directly rushed to this Court. The circumstances do not leave any scope for this Court to arrive at a conclusion that there is non-consideration or inaction on the part of the respondent-Authorities.

4. In the circumstances, the petitioners would be at liberty to approach the Authority concerned in respect of their grievance(s).

5. The writ petition is disposed off.

(Madhuresh Prasad, J)

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