

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 14426 of 2014

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Arun Kumar Chaubey S/o Harish Chandra Chaubey Resident of Mohalla
Gausala, P.O. New Jute Mill, P.S. Sahayak Thana, District Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Director General-cum-Commandant General, Home Guard, Bihar,
Patna.
4. The Chairman, Central Selection Recruitment Board (Constable
Appointment), Bihar, Patna.
5. The Commandant, Bihar Military Police - 9, Jamalpur.
6. The Deputy Superintendent of Police, Bihar Military Police-9, Jamalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	N O N E
For the S t a t e	:	Mr Md N Hoda Khan, SC I Ms Babita Kumari, AC to SC I
For the C S B C	:	M/s Sanjay Pandey, Binod Kr Mishra, Vivek Anand Amritesh, Advocates

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 27-08-2019

It is submitted by the learned State Counsel that the petitioner, along with nine others, had been discharged from their service by a common order dated 10.03.2011 issued by the Headquarters. The fact of their discharge as Home Guards was discovered by the respondent-authorities subsequently and, accordingly, it was concluded that the petitioner, along with the said nine others, had wrongly obtained appointment in Bihar Military Police claiming themselves to be Members of the



Home Guards, when they stood discharged. The aforesaid facts were found in the enquiry leading to the removal of the petitioner in the Departmental Proceedings No 10 of 2012 which is impugned in the instant writ proceedings.

It is also submitted that the other persons, who were discharged along with the petitioner from the post of Home Guard, had approached this Court and challenge to their discharge has been finally rejected, as the Letters Patent Appeal filed by the Board has finally been allowed on 01.07.2016. Details of the LPA have been stated in paragraph 10 of the counter affidavit filed by the respondent-Board.

Since, none appears on behalf of the petitioner, without going into the merits of the said submission, writ petition is dismissed for want of prosecution.

(Madhuresh Prasad, J)

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