

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15177 of 2019

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1. Chhatradhari Singh, aged about 61 years, male, Son of Late Kapil Singh, Resident of Village-Malkha Chak, Police Station-Daghbara, District-Saran at Chapra.
 2. Ganesh Singh, aged about 63 years, male, Son of Late Baidhnath Singh, Resident of Village-Dewariya, Police Station-Awatar Nagar, District-Saran at Chapra.
 3. Sudarshan Roy, aged about 69 years, male, Son of Late Ramparikshan Rai, Resident of Village-Saidpur Bagahi, Police Station-Dighwara, District-Saran at Chapra.
 4. Ram Pravesh Bhagar, aged about 63 years, male, Son of Mebalal Bhagat, Resident of Village-Aniyay, Police Station-Dariyapur, District-Saran at Chapra.
 5. Banarsi Prasad Singh, aged about 61 years, male, Son of Late Rambharosa Singh, Resident of Village-Koyala, Police Station-Dariyapur, District-Saran at Chapra.
 6. Ravindra Nath Giri, aged about 61 years, male, Son of Late Ram Laxman Giri, Resident of Village-Khojauli, Police Station-Dariyapur, District-Saran at Chapra.
 7. Surendra Sah, aged about 61 years, male, Son of Late Ramanand Sah, Resident of Village-Piyaramath, Police Station-Dariyapur, District-Saran at Chapra.
 8. Uday Kumar Singh, aged about 61 years, male, Son of Late Raghubir Singh, Resident of Village-Shobhepur, Police Station-Naya Gaon, Sonapur, District-Saran at Chapra.
 9. Jagnarayan Sharma, aged about 65 years, male, Son of Late Jashi Sharma, Resident of Village-Kaituka Nandan, Police Station-Maker Parsa, District-Saran at Chapra.
 10. Gajadhar Prasad, aged about 71 years, male, Son of Sri Gurucharan Prasad, Resident of Village-Bhalbahiyan, Police Station-Parsa, District-Saran at Chapra.
 11. Baidyanath Singh, aged about 62 years, male, Son of Late Mangal Singh, Resident of Village-Dumari Bujurg, Police Station-Sonapur, District-Saran at



Chapra.

12. Rajendra Sah, aged about 61 years, male, Son of Late Mahadeo Sah, Resident of Village-Lahlad Chak, Police Station-Naya Gaon, District-Saran at Chapra.
13. Nandkishore Das, aged about 61 years, male, Son of Late Rampadarath Das, Resident of Village-Dudhaila, Police Station-Sonepur, District-Saran at Chapra.
14. Rajeshwar Roy, aged about 63 years, male, Son of Late Sakhichand Rai, Resident of Village-Yadurampur, Police Station-Dariyapur, District-Saran at Chapra.
15. Deonath Tiwari, aged about 61 years, male, Son of Late Bharat Tiwari, Resident of Village-Kon Bhagwanpur, Police Station-Panapur, District-Saran at Chapra.
16. Suresh Sharma, aged about 62 years, male, Son of Late Bhikhari Sharma, Resident of Village-Bikram Kaituka, Police Station-Parsa, District-Saran at Chapra.
17. Surendra Prasad Sah, aged about 60 years, male, Son of Gajadhar Prasad, Resident of Village-Dumari Bujurg, Police Station-Naya Gaon, District-Saran at Chapra.
18. Jainath Manjhi, aged about 61 years, male, Son of Late Ramnandan Manjhi, Resident of Village-Sultanpur, Police Station-Sonepur, District-Saran at Chapra.
19. Ramnath Sharma, aged about 61 years, male, Son of Late Ambika Sharma Resident of Village-Dariyapur, Police Station-Sonepur, District-Saran at Chapra.
20. Harendra Prasad Singh, aged about 67 years, male, Son of Late Ramjanam Singh, Resident of Village-Prasadi Diyar, Police Station-Parsa, District-Saran at Chapra.
21. Parmanand Rai, aged about 60 years, male, Son of Late Kapil Deo Rai, Resident of Village-Manpur, Police Station-Dariyapur, District-Saran at Chapra.
22. Raghulal Singh, aged about 62 years, male, Son of Late Rambharosa Singh Resident of Village-Khidilpura, Police Station-Parsa, District-Saran at Chapra.
23. Gajendra Prasad, aged about 61 years, male, Son of Late Ramdas Prasad,



- Resident of Village-Naya Tola Basantpur, Police Station-Dadhibara, District-Saran at Chapra.
24. Supan Manjhi, aged about 69 years, male, Son of Late Ramdas Manjhi, Resident of Village-Mujauna, Police Station-Dariyapur, District-Saran at Chapra.
 25. Shivji Pandey, aged about 67 years, male, Son of Late Bhagwat Pandey Resident of Village-Shitalpur Kothi, Police Station-Dariyapur, District-Saran at Chapra.
 26. Parma Roy, aged about 71 years, male, Son of Late Ramparikshan Rai Resident of Village-Lalapur, Police Station-Parsa, District-Saran at Chapra.
 27. Jaga Roy, aged about 66 years, male, Son of Late Rajballabh Rai, Resident of Village-Basantpur Barbana, Police Station-Dighwara, District-Saran at Chapra.
 28. Ajab Lal Sah, aged about 62 years, male, Son of Late Shankar Sah, Resident of Village-Malkha Chak, Police Station-Dighwara, District-Saran at Chapra.
 29. Ramnaresh Prasad Bhagat, aged about 61 years, male, Son of Late Mishri Lal Bhagar, Resident of Village-Basatpur, Police Station-Dighwara, District-Saran at Chapra.
 30. Parshuram Singh, aged about 61 years, male, Son of Late Kalyan Chandra Singh, Resident of Village-Sargatti, Police Station-Garkha, District-Saran at Chapra.
 31. Jagat Prasad Singh @ Jagat Singh, aged about 66 years, male, Son of Late Ramsharan Singh, Resident of Village-Barbana, Police Station-Dighwara, District-Saran at Chapra.
 32. Rajgir Roy, aged about 64 years, male, Son of Ram Balak Rai, Resident of Village-Mathiya Anjani, Police Station-Parsa, District-Saran at Chapra.
 33. Bharat Paswan, aged about 64 years, male, Son of Late Shivnandan Paswan, Resident of Village-Madar, Police Station-Parsa, District-Saran at Chapra.
 34. Panchu Lal Yadav, aged about 67 years, male, Son of Late Shankar Prasad, Resident of Village-Bankerban, Police Station-Parsa, District-Saran at Chapra.
 35. Shailendra Kumar Singh, aged about 60 years, male, Son of Late Devnath Singh, Resident of Village-Malkha Chak, Police Station-Dighwara, District-Saran at Chapra.
 36. Chandeshwar Roy, aged about 61 years, Son of Bujhaban Rai, Resident of



- Village-Sakhnauli, Police Station-Awatar Nagar, District-Saran at Chapra.
37. Baleshwar Singh, aged about 64 years, male, Son of Late Chhatu Singh, Resident of Village-Mukraira, Police Station-Rivilganj, District-Saran at Chapra.
 38. Shivdharan Singh, aged about 63 years, male, Son of Late Ranjeet Singh, Resident of Village-Shitalpur Dih, Police Station-Dighwara, District-Saran at Chapra.
 39. Gyaneshwar Ram, aged about 61 years, male, Son of late Bhikhari Ram, Resident of Village-Pratap Pur, Police Station-Awatarnagar, District-Saran at Chapra.
 40. Mohar Ram, aged about 67 years, male, Son of Binda Ram Resident of Village-Ramdas Chak, Police Station-Dighwara, District-Saran at Chapra.
 41. Bimal Roy, aged about 65 years, male, Son of Jiut Raii, Resident of Village-Ramdas Chak, Police Station-Dighwara, District-Saran at Chapra.
 42. Shiv Jee Roy, aged about 61 years, male, Son of Mahavir Roy, Resident of Village-Aami, Police Station-Dighwara, District-Saran at Chapra.
 43. Raghuvir Sharma, aged about 62 years, male, Son of Late Ramashish Sharma, Resident of Village-Nagwan, Police Station-Dariyapur, District-Saran at Chapra.
 44. Kishori Roy, aged about 61 years, male, Son of Late Sheo Roy, Resident of Village-Saiyadpur, Police Station-Dighwara, District-Saran at Chapra.
 45. Manindar Mahraj, aged about 60 years, Son of late Raghunath Maharaj, Resident of Village-Ismailpur, Police Station-Doriganj, District-Saran at Chapra.
 46. Daroga Prasad Roy, aged about 61 years, male, Son of Late Ramjanam Roy, Resident of Village-Durbela, Police Station-Dariyapur, District-Saran at Chapra.
 47. Ramdeo Ram, aged about 67 years, male, Son of Late Deonarayan Ram, Resident of Village-Ramdas Chak, Police Station-Dighwara, District-Saran at Chapra.
 48. Kusheshwar Sharma, aged about 61 years, male, Son of Late Parmanand Sharma, Resident of Village-Ganj Par, Police Station-Ekma, District-Saran at Chapra.
 49. Bishwanath Thakur, aged about 60 years, male, Son of Late Dina Thakur Resident of Village-Bikram Kaitua, Police Station-Parsa, District-Saran at



Chapra.

50. Ganga Ram, aged about 61 years, male, Son of Late Ram Lakshan Ram, Resident of Village-Sarnarayan, Police Station-Dariyapur, District-Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Principal Secretary (Home) Bihar, Patna.
3. The Special Secretary, Home (Special) Department, Govt. of Bihar.
4. The Director General of Police (Home Guard) Bihar, Patna.
5. The District Magistrate, Saran at Chapra.
6. The Superintendent of Police, Saran at Chapra.
7. The Divisional Commandant, Bihar Home Guard, Saran at Chapra.
8. The District Commandant, Bihar Home Guard, Saran at Chapra.
9. The Deputy Commandant, Bihar Home Guard, Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh, Adv.
For the Respondent/s : Ms. Divya Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 31-07-2019

The petitioners, who have served for about thirty years as Members of Home Guards and have attained sixty years of age, have not been paid the lump-sum amount of Rs. 1,50,000/-, which has been decided to be paid to all such Home Guards having completed sixty years of age by



virtue of a resolution of the Government dated 03.07.2015, contained in Memo No. 7381, issued by the Home (Special) Department, Govt. of Bihar, Patna.

2. Mr. Bindhyachal Singh, the learned Advocate for the petitioners has submitted that there are no reasons assigned for not affording the petitioners the aforesaid *ex-gratia* payment to which they are entitled.

3. The representations preferred by the petitioners before the concerned respondent/authority have gone on deaf ears.

4. That the resolution, referred to above, is being implemented is evident from the fact that one of the such Members of the Home Guard has been paid such *ex-gratia* payment on his completion of sixty years of age and serving for requisites number of years as the Member of the Home Guards. The details of the aforesaid Member of the Home Guards have been mentioned in the writ petition.

5. The petitioners, 50 in number, are, therefore, directed to make a fresh claim/representation before the Director General of Police (Home Guards), Bihar, Patna



(respondent No. 4), detailing their grievances, within a period of three weeks from today, who, on receipt of the same, after verifying all the relevant facts and ascertaining the entitlement of the petitioners for getting such *ex-gratia* payment, shall pass/caused to be passed a reasoned order in accordance with law within a further period of six weeks of the receipt of such claim/representation.

6. If the claim of the petitioners is found to be tenable, necessary orders of payment shall also be passed by the concerned respondent within the aforesaid period.

7. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	05.08.2019
Transmission Date	N/A

