

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7075 of 2021

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Bhikhari Bhagat Son of Sukhdev Bhagat Resident of Village Alipurhatta,
(Near Shiv Mandir), P.S. - Mahanar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Home Department,
Govt. of Bihar, Patna
2. The District Magistrate Vaishali.
3. The Superintendent of Police Vaishali
4. The Officer in Charge Mahanar, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG 3

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 18-05-2022

Heard learned counsel for the respective parties.

2. In the instant petition, petitioner has prayed for the
following relief/reliefs:

“That, this is an application for issuance of
writ in the nature of mandamus or any other
appropriate writ/Writs or order/orders or
direction/directions or circular/circulars to the
correspondent respondent the Dist. Magistrate Vaishali
(Respondent No. 2) for directing to appoint/Join
Sanjeet Kumar Paswan on the post of chaukidar



because the petitioner served the application before the District Magistrate Vaishali (Respondent No. 2) on 30.04.2020 for voluntary retirement with effect from 30.06.2020 (Voluntary retirement in terms of notification dated 05.03.2014 issued by the Home Department amending Bihar Chukidar Cadre Rules) and no action has taken on the said application till now.”

3. Today learned counsel for the State *Mr. Suman Kumar Jha* had instruction from the District Magistrate, Vaishali that the petitioner had not furnished Annexures - 7 and 8 representations dated 30.04.2020 and 30.05.2020.

4. Perusal of Annexures 7 and 8 do not reveal seal and signature of the office of the District Magistrate, Vaishali. In other words, petitioner has mislead this Court stating that he has already approached the District Magistrate in submitting representations in respect of grievance of the petitioner. On the ground of misrepresentation by the petitioner in the present case stating that he had filed the representation, the present petition stands dismissed with a cost of Rs. 5,000/-

5. Cost shall be remitted in the Patna High Court Legal Services Committee, Patna High Court within a period of two months from today. If the petitioner has any grievance which is yet to be settled, in that event, he may be permitted to make



representation/application under the seal and signature of the
office of the concerned authority.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	20.05.2022
Transmission Date	

