

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21667 of 2014

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Ajay Kumar Son of Sri Ram Bujhawan Paswan Resident of Village - Hajipur,
P.S- Barauni, District - Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Home, Govt. of Bihar, Patna
2. The Principal Secretary Department of Home Government of Bihar , PatnS
3. The Director General- cum- Inspector General of Police, Bihar, Patna.
4. The Chairman, Constable Section Board, Patna
5. Superintendent of Police Darbhanga
6. The Commandant, Bihar Military Police -13, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Choudhary, Adv.
For the Respondent/s	:	Mr. Rajesh Kumar, AC to GP-3
For C.S.B.C.	:	Mr. Sanjay Pandey, Adv. With Mr. Binod Kumar Mishra, Adv. Mr. Vivek Anand Amritesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 19-12-2022

1. Heard the parties.

2. The petitioner by way of this writ petition has prayed to direct the respondent to accept the joining of the petitioner on the post of constable and further to take decision upon the representations made by him.

3. A reply has been filed by the respondents and it has come on record that the application submitted by the petitioner himself, it is apparent that the petitioner submitted his joining to the Commandant. However, on 07.04.2012, when the



Commandant was not present in the headquarter, upon finding the joining report, the Commandant enquired about the candidate but he was not available. As per the directions of the selection board he was to submit his original certificate along with joining report. As the same was not available, he submitted his report to the Selection Board on 13.04.2012 with respect to the petitioner. With regard to the fact of the petitioner having left the unit after submitting joining report, this Court finds that the petitioner admits it in his application itself that after 10.04.2012 he left the office and went home, as his mother was unwell. A letter was communicated to the petitioner on 25.05.2012 by registered post to again submit his joining with all the requisite certificate but he did not turn up. Again vide letter dated 12.07.2012, the petitioner was asked to present himself before the Commandant but he did not turn up with the original certificates. These facts were intimated to the O.S.D., Selection Board on 02.03.2013 and has failed to join.

4. Learned counsel for the petitioner submits that the petitioner has been submitting representations to the authorities but the Commandant has not allowed him to join.

5. This Court finds that the petitioner had no intention to join police forces and has been only corresponding and



writing letters and representations for almost two years. If he actually had any intention to join he would have taken up recourse to legal remedies but it is apparent that there is no intention to join. In fact, after joining he has left the office and returned back home. In police service, a person is required to maintain discipline and without permission he would not have left the office, if he was serious to join the forces. The action on the part of the petitioner itself reflects his conduct. No relief therefore can be granted to the petitioner.

6. Accordingly, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

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Item no.28

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