

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1017 of 2021

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Arjun Kumar Das S/o Rajan Ravidas resident of Village- Sikandarpur Lalpur
Bhader, P.O.- Lalal Pur Bhader, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Police) Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration, Department, Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Senior Superintendent of Police, Bhagalpur.
5. The Sub Divisional Officer, Kahalgaon (Bhagalpur).
6. The Circle Officer, Kahalgaon, Bhagalpur.
7. The Officer in Charge, Kahalgaon, P.S.- Kahalgaon, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate
For the Respondent/s : Md. N.H. Khan, SC 1

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 13-05-2022

Heard learned counsel for the respective parties through
virtual court proceedings.

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

“(i) To issue an appropriate
order/s, direction/s, order/s including a writ
preferably in the nature of Mandamus
directing and commanding upon the
respondent No. 3 to appoint the petitioner to



the post of Chowkidar in terms of Memo No. 8442 dated 23-10-17 of the Department of Home (Police), Bihar, Patna.

(ii) To direct the respondent No. 3 to appoint the petitioner to the said post taking into the consideration that the petitioner's father has nominated for the post in question in terms of the Circular of Respondent No. 3.

(iii) To any other relief/s to which the petitioner is entitled in the facts and circumstances of the case.”

3. The aforesaid reliefs are not supported by material information in particularly establishing statutory right followed by demand before the competent authority like representation/application.

4. In the absence of the aforesaid material information, the petitioner is not entitled to writ of mandamus in the light of Apex Court decision in the case of ***Mani Subrat Jain V. State of Haryana*** reported in ***(1977) 1 SCC 486*** read with ***Union Of India & Anr vs Arulmozhi Iniarasu & Ors*** reported in ***(2011) 7 SCC 397***.

5. Accordingly, the present petition stands disposed off. Reserving liberty to the petitioner to file detailed representation to the competent authority. If such representation is submitted within a period of eight weeks from the date of receipt of this order, in



that event, the competent authority shall pass speaking order and communicate within a period of three months from the date of petitioner’s representation.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	17.05.2022
Transmission Date	

