

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2216 of 2023

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Sanoj Paswan Son of Ram Naresh Paswan, resident of Village - Kespa, P.S. - Alipur, District - Gaya.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar at Patna.
2. The District Magistrate-Cum-Chairman, Committee for Dafadar/Chaukidar Voluntary Retirement, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The Deputy Development Commissioner, Gaya.
5. The In-Charge-Officer, General Administration, Gaya.
6. The Deputy Collector, Establishment, Gaya.
7. The Deputy Collector, Gaya.
8. The Director, DRDA, Gaya.
9. The Sub-Divisional Officer, Sadar Gaya.
10. The Sub-Divisional Officer, Tikari, District - Gaya.
11. The Sub-Divisional Officer, Sherghanti, District - Gaya.
12. The Sub-Divisional Officer, Neemchak Bathani, District - Gaya.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate
For the Respondent/s : Mr. Ajay Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned counsel for the State.

The claim of the petitioner is based on sub-Rule (7) of Rule 5, Proviso 'क' of the Bihar Chaukidar Cadre (Amendment) Rules, 2014. The said provision has been held ultra vires by the Hon'ble Division Bench of this Court in the case of **Devmuni Paswan versus the State of Bihar and Ors. (LPA No. 508 of 2022)**.



So far as the facts of the present case is concerned, it is evident from the records that the claim of the petitioner for appointment in place of his father has been declined on the ground that his father had worked till his actual date of retirement and had also received salary till his retirement.

In the aforesaid view of the matter, this Court finds no illegality and infirmity with the order.

This writ application has no merit. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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