

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2985 of 2020

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Ram Adhar Paswan, Son of Ganaur Paswan Resident of Village-Andaur, P.S.-
Mohiuddin Nagar, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary, Department of Home, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The Sub Divisional Magistrate, Patori, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Sr. Adv.
For the State : Mr. Md. Nadim Seraj (GP-5)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2023 Learned senior counsel for the petitioner and learned
counsel for the State are present.

2. Learned senior counsel submits that father of the petitioner was appointed as *Chowkidar* and has completed 20 years of his service and thereafter, submitted for voluntary retirement with effect from 31.12.1999 and also submitted an application for appointment of his son (petitioner), but till date, no order has been passed. Counsel for the petitioner relied on a judgment passed by this Hon'ble Court in ***Raj Kumar Paswan @ Raj Kumar Pasavan Vs. The State of Bihar and Ors. vide order dated 30.01.2019 passed in Civil Writ Jurisdiction Case No. 1579 of 2019*** annexed as Annexure-5 in which liberty was



granted to the petitioner to file a fresh representation on behalf of his father before the District Magistrate, Madhubani.

3. Learned counsel for the State opposes the prayer and submits that the petitioner has left no right after 2014 particularly when the rules related to *Chowkidar* has been repeal.

4. In the light of the submissions made, it transpires to this Court that the State of Bihar has framed Bihar State Litigation Policy, 2011 and particularly in the light of 4(C)(i) the case of similarly situated person should be treated similarly and in that view of the matter, this Court is directing the petitioner to file representation along with the order passed in Civil Writ Jurisdiction Case No. 1579 of 2019 before the District Magistrate, Samastipur within a period of four weeks from today who is directed to pass a reasoned and speaking order in this matter.

5. Hence, with the observations made above, this writ petition is hereby disposed of.

(Dr. Anshuman, J.)

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