

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.757 of 2019

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Dhaneshwar Paswan, Son of Rambriksha Paswan, Resident of Village and
P.O. Narayanpur, P.S. Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Home (Police) Department, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi, District- Sitamarhi.
4. The Sub-Divisional Officer, Pupri, District- Sitamarhi.
5. The Circle Officer, Pupri, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Respondent/s : Mr.Md. Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-07-2023 The petitioner claims appointment as *Chowkidar* in place of his father. The appointment is claimed under Rule 5 (7) of the Chowkidari Cadre Rules, 2014.

The provision under which the petitioner claims relief has been declared *ultra vires* by this Court by a Division Bench in the case of *Devmuni Paswan vs The State of Bihar & Ors.* reported **2023 (2) PLJR 425**.

In view of such declaration of the provision being *ultra vires*, the relief of appointment claimed under the provision cannot be granted to the petitioner.



The writ application is accordingly dismissed.

(Madhuresh Prasad, J)

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