

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4481 of 2023

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Kharpatu Ram @ Kharpat Ram Son of Jiyakvak Ram Resident of Vilalge-Patti, Police Station-Mohaniya, District-Kaimur (Bhabua).

... .. Petitioner

Versus

1. The State of Bihar thorough Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Additional Secreary, Department of Home (Police), Bihar, Patna.
3. The District Magistrate, Kaimur (Bhabua).
4. The Superintendent of Police, Kaimur (Bhabua).
5. The Circle Officer, Mohania, District, District-Kaimur (Bhabua).

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey, Advocate
For the Respondent/s : Mr.Suman Kumar Jha, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner in the present case is seeking the following reliefs:-

“i) Issuance of a writ in the nature of writ of certiorari quashing the order dated 19.03.2021 passed by the District Magistrate, Kaimur (Bhabua) so far petitioner is concerned whereby and whereunder he has been pleased to reject the appointment of the petitioner’s son namely Chhote Lal Kumar on the post of Chaukidar.

ii) Issuance of a writ in the nature of writ of mandamus directing the respondent to appoint the son of petitioner on the post of Chaukidar which is still vacant after optional retirement of the petitioner.



iii) Issuance of a writ in the nature of writ of mandamus directing the respondent to consider the age of the petitioner's son on the date of consideration of application which has been consider by under the Chairmanship of District Magistrate, Kaimur (Bhabua) on 08.03.2021.

iv) Issuance of any other writ(s) or order(s) or direction(s) which may be deemed fit and proper in the facts and circumstance of the case.”

In view of the judgment of the Hon'ble Division Bench of this Court, in the case of **Devmuni Paswan versus The State of Bihar and Others (LPA No. 508 of 2022)** the very basis on which the petitioner was claiming his appointment has vanished.

This writ application cannot proceed. It is being disposed of with liberty to the petitioner to file a fresh writ application, if the said Hon'ble Division Bench judgment is interfered with or reviewed at appropriate level.

(Rajeev Ranjan Prasad, J)

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