

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8477 of 2019

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Harishankar Prasad S/o Late Rameshwar Prasad Resident of Village- Bhalhi,
P.O.- Harpur Bhalha, P.S.- Bathnaha, District- Sitamadhi- 843314.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The Secretary, Home Police Department, Government of Bihar, Patna.
3. The Additional Secretary, Home Police Department, Government of Bihar,
Patna.
4. The District Magistrate, Sitamadhi.
5. The Section Officer, District General Administration, Sitamadhi.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar Karan, Adv.

For the Respondent/s : Mr. Md. N.H. Khan, SC-1

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

In view of the decision of the Division Bench dated
25-02-2023, passed in LPA No. 508 of 2002 (Devmuni Panswan
vs. State of Bihar & Ors.), the learned counsels are *ad idem* that
the reliefs, in the instant writ petition, cannot be had in view of
declaration of Clause 5(7) of the Bihar Choukidari Cadre
(Amendment) Rules, 2014 being *ultra vires* and violative of



Articles 14 and 16 of the Constitution of India.

The writ application is, accordingly, dismissed.

(Madhuresh Prasad, J)

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