

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10822 of 2020

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Mahesh Paswan S/o Late Barhamdeo Paswan Resident of Village- Ward No. 8
Rajmahala Barisanwak Sankh, P.S.- Muffasil Begusarai, Dist.- Begusarai.
... .. Petitioner

Versus

1. The State of Bihar Through the Secretary Department of Home (Police)
Government of Bihar, Patna.
2. The District Committee for Appointment of Chawkidar/ Dafadar of District
Begusarai through its Chairman.
3. The District Magistrate Begusarai.
4. The Superintendent of Police Begusarai.
5. The Circle Officer Begusarai, District- Begusarai.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

9 03-04-2023 Heard learned counsel for the petitioner. No one
appears for the State.

Petitioner in the present case has questioned the
resolution of the District Committee on the appointment of
Chowkidars and Dafadars as contained in Memo No. 957 dated
01.09.2020 whereby and whereunder the request of the
petitioner to allow him voluntary retirement and appoint his
dependent on his place has been rejected.

Learned counsel for the petitioner submits that the
petitioner had applied for his voluntary retirement and
appointment of his dependent in accordance with the resolution
as notified vide Communication No. 1896 dated 05.03.2014 as



contained in Annexure '2' to the writ application.

Learned counsel has drawn the attention of this Court towards the rules namely Bihar Chowkidar Cadre (Amendment) Rules, 2014 (hereinafter referred to as "the Rules of 2014").

After going through Rule 3(ii) (क) and (घ), this Court finds that the petitioner had not applied for his voluntary retirement and appointment of the dependent in terms of the Rules of 2014. He was due to retire on 28.02.2019 and sought his voluntary retirement with effect from 01.02.2019, an application for this purpose was submitted only on 03.01.2019. Under the Rules of 2014, the application should have been submitted at least one month prior to the date with effect from which the petitioner was seeking voluntary retirement.

This Court, therefore, finds no error with the impugned order. This writ application is dismissed.

(Rajeev Ranjan Prasad, J)

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