

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1424 of 2020

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Sita Ram Yadav, S/o Wakil Yadav, Resident of Village- Ramdeo nagar
(Mahadeva), P.s.- Pachrukhi (Mahadeva O.P.), District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna
2. The Chief Commandant, Bihar Home Guard, Headquarter, Bihar, Patna
3. The Deputy Inspector General of Police Saran Region, Chapra
4. The District Commandant Bihar Home Guard, Siwan
5. The District Magistrate, Siwan.
6. The Superintendent of Police Siwan
7. The Additional Collector General Administration, Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate
For the Respondent/s : Mr. Dhurendra Kumar, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-06-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner's grievance in the instant writ proceedings is that he was discharged from duty of Home Guard on 13.06.2017 on account of his implication in Mufassil (Mahadeva) P.S. Case No. 175 of 2017 for certain offences including offences under the Bihar Prohibition and Excise Act. He seeks a direction that he be allowed to continue in service as Bihar Home Guard and remuneration be paid to him.

3. There is no assail to the order of discharge, which as per statement made in the writ petition is of 13.06.2017.



4. Learned counsel for the petitioner submits that the discharge was verbal.

5. This Court finds that even today there is no written order of discharge, but the petitioner has approached this Court by the instant writ proceedings. The same, thus could have been done earlier, which apparently the petitioner has never done prior to filing of this writ petition in January, 2020.

6. As per counter-affidavit, now the respondents have taken a sympathetic view of the matter and issued Command Order dated 25.03.2020, taking the petitioner back in work and payment is also being made to him.

7. Having regard to these developments, this Court finds that nothing survives in the instant writ petition.

8. Writ petition is infructuous and dismissed.

(Madhuresh Prasad, J)

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