

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4233 of 2020

- 1.1. Mohan Lal Son of Late Raj Kumar Verma Resident of Village- Nandu Tola, Khagaul, P.O. and P.S.- Khagaul, District- Patna, Bihar, Pin Code- 801105.
- 1.2. Sohan Lal Son of Late Raj Kumar Verma (unmarried) Resident of Village- Nandu Tola, Khagaul, P.O. and P.S.- Khagaul, District- Patna, Bihar, Pin Code- 801105.
- 1.3. Radha Kumari Daughter of Late Raj Kumar Verma (unmarried) Resident of Village- Nandu Tola, Khagaul, P.O. and P.S.- Khagaul, District- Patna, Bihar, Pin Code- 801105.
- 1.4. Rajni Kumari Daughter of Late Raj Kumar Verma, Wife of Jay Prakash Verma (married), Resident of Fatehpur, P.S.- Sahar Rampur, P.S.- Naubatpur, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Senior District Commandant, Bihar Home Guards. Patna.
5. The District Public Grievance Redressal Officer, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ram Babu
For the Respondent/s : Mr.Md. Nadim Seraj (Gp5)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 20-04-2024 Learned counsel for the petitioners and counsel for the State present.

2. Counsel for the petitioners submits that the present writ petition has been filed for quashing of the letter dated 15.03.2019 contained in Memo No. 225 passed by the Superintendent of Police, Patna and further for quashing of the order dated 09.04.2019 passed by The District Public Grievance



Redressal Officer, Patna(Respondent No. 5).

3.Counsel for the State raised objection that the said letter and order passed by District Public Grievance Redressal Officer which is not challengeable before the High Court and petitioner ought to take his remedy before the appropriate forum and in this background, this petition is infructuous.

4.Upon going through the pleadings, it transpires to this Court that there is subsistence in the argument of the counsel for the State and petitioner has chosen the wrong path therefore, no relief can be granted on the merit of this case. Hence, without entering into the merits of this case, this case is dismissed.

5. It appears to the Court that petitioner is the son of the deceased who has filed a representation before the different authorities in the light of Bihar Home Guard Act, 1947 and Bihar Home Guard Act, 1953. It also appears to this Court that though this writ petition is not maintainable but mere dismissal of the writ shall be injustice to the petitioner. As such, this Court directs the petitioner to file a fresh representation before Commandant Patna for his grievance within 4 weeks and the Commandant shall pass reasoned and speaking order within 90 days from the date of filing of the representation.



It is made clear that 90 days shall be counted from the
date on which Lok Sabha Election concludes.

(Dr. Anshuman, J)

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