

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10603 of 2024

=====

Sanjay Thakur Son of Ram Vilas Thakur Resident of Village- Bela, P.S.-
Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Jail) Department,
Government of Bihar, Patna.
2. The Inspector General, Prison, Government of Bihar, Patna.
3. The Jail Superintendent, District- Jail, Samastipur.
4. The Jail Superintendent of Divisional Jail, Rosera, District- Samastipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Respondent/s : Mr. Advocate General

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that
petitioner was working on the post of Barber in Sub-Jail,
Rosera, Samastipur, in the light of rule framed by the
Government of Bihar, i.e., Bihar Jail Nai and Safai Mazdoor
Cadre Rules, 2011. He seeks relaxation under the said Rules.
In support of his argument, counsel has attached the judgments
passed by this Hon'ble Court, which is Annexure-P-7, i.e., order
dated 25.06.2018 passed in CWJC No.5624 of 2017 (Abdul



Quadir Vs. The State of Bihar & Others) and order dated 13.12.2021 passed in CWJC No.5976 of 2020 (Shyam Kumar Vs. The State of Bihar and Others). Counsel for the petitioner submits that a direction may be given to the respondent authorities to consider his case in the light of these two judgments.

3. Learned counsel for the State submits that till date petitioner has not filed any representation. In that view of the matter, the petitioner may be directed to file representation first.

4. In the light of the submissions made by the parties, this writ petition is disposed off directing the petitioner to file representation before respondent No.2, the Inspector General, Prison, Government of Bihar, Patna, in the light of Rule 4C of the Bihar State Litigation Policy, 2011 and if it has been found that case of the petitioner is squarely covered in the light of the judgments, mentioned above, his case may be considered and same treatment be given to the petitioner as like that of two others, who are petitioners in those writ petitions. The petitioner shall file representation within thirty days and respondent No.2 shall pass order within 90 days thereafter. It is made clear that this Court has not entered into the merits of the case and it is respondent No.2 who has to look into the merits



and demerits of the case. If it has been found that petitioner is not entitled for the same relief, then a reasoned and speaking order shall be passed.

(Dr. Anshuman, J)

Mkr./-

U			
---	--	--	--

