

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14191 of 2024

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Jitu Kumar Son of Ram Bali Yadav Resident of Village- Bishunpur Bigha,
P.O.- Pakri Guriya, P.S. Imamganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Divisional Commandant, Bihar Home Guard, Magadh Division, Gaya.
3. The Senior District Commandant-cum-Secretary, Bihar Home Guard, Magadh Division, Gaya.
4. The District Collector District Magistrate, Gaya.
5. The Superintendent of Police, Home Guard, Gaya.
6. The Dy. Superintendent of Police, Bihar Home Guard, Gaya.
7. The Circle Officer, Imamganj, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Virendra Prasad, Adv
For the Respondent/s	:	Mr. Nadim Siraj, GP-5
		Mrs. Shalini Mishra, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2024 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

2. The present writ petition has been filed for quashing of the order contained in Memo No. 786 dated 28.05.2024 i.e. Annexure-P/9 issued by Respondent No. 3 by which Respondent No. 3 has cancelled the selection of the petitioner as Home Guard on the ground that the petitioner has produced forged and fabricated documents.

3. Learned Counsel for the State has raised



preliminary objection and submits that the present writ petition is not maintainable as, no decision has been taken relating to the cancellation of the petitioner's appointment on the post of Home Guard as per Memo No. 786 dated 28.05.2024.

4. Upon hearing the argument of both the parties, it transpires to this Court that operative part of Annexure-P/9 is as follows:

अतः आप दिनांक 29.05.2024 को कार्यालय अवधि में उपस्थित होकर आपके विरुद्ध लगाये गये आरोपों के संबंध में वस्तु स्थिति से अवगत कराना सुनिश्चित करेंगे। अन्यथा स्थिति में फर्जीवाड़ा करने के आरोप में आपके चयन को समाप्त करने की कार्रवाई की जाएगी।

5. Upon bare reading of the aforesaid letter, it transpires to this Court that this letter i.e. Memo No. 786 dated 28.05.2024 impugned letter is not the cancellation of the petitioner's appointment, rather it is simply a show-cause issued to the petitioner in which he was directed to appear before the concerned authority explaining all the charges levelled against him.

6. In this view of the matter, this Court is of the firm view that the present case has no merit. Accordingly, the present



writ application stands dismissed.

(Dr. Anshuman, J)

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