

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.285 of 2022

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Ajay Paswan, Son of Late Ram Charitar Paswan, Resident of Village-
Ratanpur, P.O.- Alinagar, P.S. Surjgadha, District- Lakhisarai (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Home Secretary, Govt. of Bihar, Patna.
3. The Director General of Police, Govt. of Bihar, Patna.
4. The Superintendent of Police, District- Lakhisarai.
5. The Circle Officer, Surjgaddha Block, District- Lakhisarai.
6. The Officer Incharge, Police Station- Surjgadha, District- Lakhisarai.
7. Sri Bishundhari Paswan Son of Late Kailu Paswan Resident of Village-
Ratanpur, Post- Alinagar, P.S. Surjgadha, District- Lakhisarai, working as
Chaukidar in Surjgadha Police Station, Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar, Advocate.
For the Respondent/s : Mr. Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 26-11-2024

Heard the parties.

2. The petitioner has approached this Court seeking a direction upon the respondents, especially the Superintendent of Police, Lakhisarai for his appointment on the post of Chowkidar in place of his father, who died in harness on 08.07.2008 in Surajgadha Police Station.

3. Learned counsel for the petitioner contended that the petitioner's father was Chowkidar in Surajgadha Police Station. The father of the petitioner, namely, Kailu Paswan wanted to surrender his service (Chowkidar) to his elder son,



namely, Ram Charitra Paswan during his life time in the year 1986 on account of his physical ailment. With consent of his father, said Ram Charitra Paswan had given an application to the Welfare and Prison Minister, Bihar, Patna, stating therein that he wanted to work in place of his father. Whereupon, the Hon'ble Minister vide letter no. 4937 dated 28.08.1986 requested the Superintendent of Police to consider the demand of the father of the petitioner and recommend the name of the petitioner for appointment in place of his father. While the father of the petitioner was working as Chowkidar in Surajgadha Police Station, he died on 08.07.2008. At the time of death of Ram Charitra Paswan, the petitioner was minor, hence, no application could be given for appointment on compassionate ground. After attaining majority, the petitioner preferred an application for his appointment on compassionate ground. The mother of the petitioner has also requested to the authorities concerned to extend the benefit of appointment but no action has been taken till date.

4. A counter affidavit has been filed on behalf of respondent no.4, wherein it has been averred that one Kailu Paswan was Chowkidar under Circle No. 8/5. Said Kailu Paswan had two sons, namely, Ramcharitra Paswan and



Bishundhari Paswan. After surrender of his service as Chowkidar by Kailu Paswan, Bishundhari Paswan has been performing his duty since 1987 in pursuance to the order of the District Magistrate, Munger vide letter no. 8804(G) dated 25.08.1987. There is a categorical averment that the father of the petitioner, namely, Ram Charitra Paswan, had never been engaged or employed as Chowkidar under Circle No. 8/5. Hence, the grievance of the petitioner appears to be not correct. The contention(s) of the petitioner has been categorically denied.

5. Having heard the learned counsel for the respective parties and after going through the materials available on record, it appears that the father of the petitioner had never been engaged as Chowkidar, which fact has also not been controverted even by the writ-petitioner by placing material(s) on record. Hence, this Court has left with no option but to dismiss the writ petition. Accordingly, the writ petition sans any merit, stands dismissed.

(Harish Kumar, J)

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