

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15661 of 2023

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1. Pawan Kumar Son of Sri Damodar Yadav resident of village Lalpur, Chakai, P.O Nawadih Silfari, P.S. - Chandarmandih, and District- Jamui.
 2. Pradeep Kr. Yadav, Son of Sri. Muni Mahto, resident of village Raj Karangarh, P.O. Chandarmandih, P.S. Chandarmandih and District - Jamui.
 3. Daulat Kr. Yadav, Son of Sri Lekho Yadavn resident of village Thadi, Chakai, P.O. Bishodah, P.S. Chandarmandih, and District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration, Bihar, Patna.
2. The Principal Secretary, Home (Police) Department, Bihar, Patna.
3. The District Magistrate, Jamui.
4. The Sub-Divisional Officer, Jamui.
5. The Circle Officer, Chakai.
6. The Superintendent of Police, Jamui.
7. The Officer in charge, Chandramandih, Police Station.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mirtunjay Griyaghey, Adv.
For the Respondent/s	:	Mr.P.K. Verma, AAG- 3
		Mr.Sanjay Kumar Ghosarvey, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.a. For issuance of a writ in the nature of mandamus for a direction upon the respondent authorities to consider the applications submitted by the father of the petitioners dated 19.10.2022, 19.10.2022 and 14.02.2023 respectively to the District Magistrate, Jamui for their son (petitioners) compassionate appointment. The said



application had been submitted by the father of the petitioners as per rule 5 sub clause 7 of the Bihar Chaukidar (Amendment) Rule, 2014. It is also relevant to mention hereto that the Learned Circle Officer, Chakai has also sent letters bearing no.101 dated 13.02.2023, letter bearing no. 84 dated 05.02.2023 and letter bearing no. 263 dated 26.04.2023 to the Sub-Divisional Officer, Jamui, respectively annexing all relevant documents and stating therein that there is no defect in the documents of the petitioners and to proceed further. But the respondent authorities further sat over the matter tightly and in the meantime, during the pendency of their applications submitted for the compassionate appointment, four similarly situated persons had been appointed on the post of chaukidar on compensate ground. Hence, in the said circumstances, the said applications of the petitioners are fit to be considered by respondent authorities in speedily manner as such the father of the petitioners had also taken voluntary retirement and the source of their livelihood are at stake now and by delaying in considering the applications of the petitioners, the respondent authorities are acting in discriminatory manner. ”

2. After some arguments, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the District Magistrate, Jamui, for redressal of their aforesaid



grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate representation is filed by the petitioners, before the District Magistrate, Jamui, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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