

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16109 of 2025

Chandan Kumar Son of Shailendra Rai, Resident of Village- Khaira, P.S-
Khaira, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Superintendent of Police, Saran at Chapra.
3. The District Commandant Home Guard, Saran at Chapra.
4. The Station House Officer, Khaira P.S. Saran, District- Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Advocate Ms. Ritika Rani, Advocate Mr. Vardaan Mangalam, Advocate Ms. Himja Gautam Singh, Advocate
For the Respondent/s	:	Mr. Sunil Kumar Mandal, SC-3 Ms. Neelam Kumari, AC to SC-3

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

- 2 27-11-2025 1. By virtue of an advertisement, dated 21st of March, 2025, some Home-guards were scheduled to be appointed in the district of Saran at Chapra. The petitioner submitted his candidature in the said selection process. Physical examination was held on 29th of May, 2025. He was successful in physical test and health examination. Thereafter, SHO, Khaira was directed to submit the character verification report of the petitioner. The petitioner submitted a *Curriculum Vitae* to the SHO, mentioning that two criminal cases are pending against him. Thus, he did not suppress any fact, either positive or negative, appearing in his favour or against him. But the SHO, Khaira did not submit any report. Then the petitioner made a



representation to the Superintendent of Police, Saran at Chapra in the light of the decision in the case of Avtar Singh v. Union of India & Ors., reported in (2016) 8 SCC 471, followed by a decision of Patna High Court in C.W.J.C. No. 12746 of 2021, decided on 27th of March, 2025 to allow him to join as Home-guard. But the said representation has not been disposed of as yet.

2. This Court is of the view that the Superintendent of Police is under obligation to dispose of the representation (Annexure-4) filed by the petitioner in accordance with law, giving opportunity to the petitioner or his representative, of hearing.

3. Thus, the instant writ petition is disposed of, directing the Superintendent of Police, Saran at Chapra to dispose of the representation of the petitioner (Annexure-4) within a period of six weeks from the date of this order, following the manner, which has been described hereinabove.

4. The instant writ petition is, accordingly, disposed of.

(Bibek Chaudhuri, J)

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