

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1214 of 2022

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Ashok Paswan, Son of Chandardip Bhagat, resident of Village-Bahrampur,
P.O. Shaistapur, P.S. Raghapur (Rustampur O.P), District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Chairman, District Compassionate Appointment Committee, Vaishali at Hajipur.
3. The Superintendent of Police, District-Vaishali at Hajipur.
4. The Circle Officer, Anchal Raghapur, District-Vaishali.
5. Officer-in-charge of Police Station Raghpur, District-Vaishali.
6. Officer-in-Charge of Rustampur (O.P.), P.S. Raghapur, District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Respondent/s : Mr. P.K.Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-03-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application for
the following reliefs :-

*“(A) A writ in the nature of certiorari for
quashing the order as contained in memo no. 781
dated 12.7.21 passed by Incharge Addl. Collector,
District General Branch, Vaishali by which he has
rejected the application of the petitioner for his
appointment on the post of Chaukidar as dependent
of his retired father Sri Chandradip Bhagat on the
basis of VRs.*

*A true photo copy of the order
dated 12.7.21 passed in memo no. 781 is
annexed herewith and marked as Annexure- 1*



(B) A writ in the nature of mandamus commanding the respondents to consider the case of the petitioner as fit for his appointment as chaukidar in place of his father Sri Chandradip Bhagat village Bahrapur, P.S and Anchal Raghapur Dist. Vaishali.

(C) To any other relief/s for which the petitioner is found entitled to.”

3. At the outset, it is submitted by learned counsel for the respondents that the petitioner in support of his contentions is placing reliance on the notification dated 5.3.2014 which was the subject matter in the case of Devmuni Paswan vs. The State of Bihar & Ors.; (2023) 2 PLJR 425, and this Court holding the said provision to be violative of Articles 14 and 16 of the Constitution has set aside the same. It is further submitted that the said judgment was challenged in the Hon’ble Supreme Court in SLA (C) no.18983 of 2023 [Bihar Rajya Dafadar Chaukidar Panchayat (Magadh Division) vs. State of Bihar & Ors.] which has also been dismissed by order dated 19.3.2025.

4. In view of the above noted facts and circumstances of the case, there is no merit in the instant writ application of the petitioner and the same is dismissed.

(Partha Sarthy, J)

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