

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2502 of 2019

1. Ram Daresh Rai and Ors Late Awadh Rai resident of Village- Talkhapur Dumra, Police Station and District- Sitamarhi.
2. Jagdeo Paswan Late Mahangu Paswan resident of Village and Post- Parsauni, P.S. Dumra, District Sitamarhi.
3. Nawab Nadaf Sharif Nadaf resident of Village- Hari Chhapra, Post- Lagma, P.S. Dumra, District- Sitamarhi.
4. Suresh Rai Late Bishun Thakur resident of Village- Malipur Pakri, Post- Bhasar Machha, P.S. and District- Sitamarhi.
5. Shankar Rai Late Baidyanath Rai resident of Village- Khairwa, Post- Maniyari, P.S. and District- Sitamarhi.
6. Ram Pratap Paswan Late Ram Gulam Paswan resident of Village- Baradih, Post- Partapur, P.S. Runnisaidpur, District- Sitamarhi.
7. Bindeshwar Rai Late Ram Sevak Rai resident of Village- Samoul Shahpur, Post Kuari, P.S.- Runnisaidpur, District- Sitamarhi.
8. Awadhesh Mishra Late Kameshwar Mishra resident of Village and Post and P.S. Sursand, District- Sitamarhi.
9. Sahdeo Kapar Late Yugeshwar Kapar resident of Village and Post- Malahi, P.S. Sursand, District- Sitamarhi.
10. Janki Rai Late Badri Rai resident of Village- Banauli, Post- Harari Dularpur, P.S. Sursand, District- Sitamarhi.
11. Md. Isha Ansari Late Md. Jan Ansari resident of Village- Chakri, Post- Bhittha Bazar, P.S. Sursand, District- Sitamarhi.
12. Tasleem Ansari Abdul Ansari resident of Village- Bispatti, Post- Baghari, P.S.- Sursand, District- Sitamarhi.
13. Bishwanath Rai Late Raghunandan Rai resident of Village and Post- Gausnaga, P.S. Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Secretary, Department of Home (Police), Bihar, Patna.
2. Under Secretary, Department of Home (Police), Government of Bihar, Patna.
3. Joint Secretary, Department of Home (Police), Government of Bihar, Patna.
4. District Magistrate, Sitamarhi.
5. Officer-in- Charge, District General Section, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Choudhary, Advcoate Mr. Yogendra Mishra, Advocate Ms. Swati Mishra, Advocate
For the Respondent/s	:	Mr. Manish Kumar (Gp4)

Mr. Manoj Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 19-02-2026 Heard learned counsel for the parties.

2. The petitioners, 13 in numbers, who are working as Chowkidar with the Bihar Police in the Department of Home have filed this writ petition praying for an appointment to be given to their sons as chowkidar in terms of Bihar Chowkidari Act, 1990 and the amendment made vide Memo No. 1896 dated 05.03.2014 thereto on their seeking voluntary retirement prior to one month of their superannuation.

3. Learned counsel for the petitioners has submitted that the aforementioned Act under which the relief has been sought for by the petitioners has been struck down by the Division Bench of this Court in the case of *Devmuni Paswan vs. State of Bihar* reported in *(2023) 2 PLJR 425* which has also been upheld by the Hon'ble Supreme Court in *SLP Civil No. 18983 of 2023*.

4. In view of the Act having been struck down by the Division Bench of this Court as well as by the Hon'ble Supreme Court, learned counsel for the petitioners submit that the petitioners does not have a case now, entitling them for the relief sought for.

5. Accordingly, the writ petition stands disposed off
with no consequential order.

(Nani Tagia, J)

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