

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1915 of 2022

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Harendra Kumar Son of Ram Kishun Bind, Resident of Village - Daharak,
P.S. Ramgarh, District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Home Department, Govt. of Bihar, Patna.
3. The Additional Secretary, Home Department, Govt. of Bihar, Patna.
4. The District Magistrate - cum- Appointing Authority of Chowkidar, Kaimur at Bhabhua.
5. The Superintendent of Police, Kaimur at Bhabhua.
6. The Sub- Divisional Officer, Mohania, Kaimur at Bhabhua.
7. The Circle Officer, Ramgarh, Kaimur at Bhabhua.
8. The S.H.O., Ramgarh, District- Kaimur (Bhabhua).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Respondent/s : Mr. Manish Kumar, G.P.-4

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2026 Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following relief(s):

*“I. To issue writ/writs, order/orders,
direction/directions including a writ in the nature of
certiorari for quashing the Memo No. XIX-03-
2021/1213/ Dated 23.10.2021 issued by the District
Magistrate-cum-Appointing Authority of Chowkidar,
Kaimur, Bhabhua, by which the father of the petitioner
namely Ram Kishun Bind was Chowkidar, who has
superannuated 31.12.2015 and he has submitted the
representation on dated 30.11.2015 before the District*



Magistrate, Kaimur for appointment his son (Petitioner) as Chowkidar in place of me in Ramgarh Police Station as per rule issued by the State Government, but the District Magistrate has been rejected the same.

II. To issue writ in the nature of mandamus directing the Respondents to makes appointment of the petitioner as Chowkidar in place of his father in Ramgarh Police Station as per rules issued by the State Government, besides that the petitioner has got Graduate Degree Honours in Sociology under Veer Kunwar Singh University, Ara, Bihar, for which preference has to be given by the State Government, who made an application before the District Magistrate, Kaimur on dated 30.11.2015 alongwith affidavited copy through his father.

III. To issue any other appropriate writ or writs as this Hon'ble Court may deem fit and proper in the present matter."

3. It is submitted by learned counsel for the respondents that while making out his case for grant of relief as prayed in the instant application, learned counsel for the petitioner has placed reliance on the memo dated 5.3.2014 of the Government of Bihar. The said memo dated 5.3.2014 was the subject matter of the writ application in the case of *Devmuni Paswan vs. The State of Bihar & Ors; 2023(2) PLJR 425* wherein a Division Bench of this Court holding the same to be violative of Articles 14 and 16 of the Constitution, set aside the



same. Learned counsel further submits that the judgment dated 25.2.2023 passed in LPA no.508 of 2022 (*Devmuni Paswan vs. The State of Bihar & Ors*) was challenged by Bihar Rajya Dafadar Chaukidar Panchayat (Magadh Division) in the Hon'ble Supreme Court vide SLA(C) no.18983 of 2023 and the Hon'ble Supreme Court vide its order dated 19.3.2025 was pleased to dismiss the same.

4. In view of the above, in the opinion of the Court, the memo dated 5.3.2014 having been set aside and challenge thereto have been upheld upto the Hon'ble Supreme Court, the petitioner has no case on merits.

5. The application is dismissed.

(Partha Sarthy, J)

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