

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8662 of 2024

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Braj Bhushan Dwivedi son of Late Indradev Dwivedi, resident of Village and
P.O.- Bakhar Chandiha, Police Station- Purnahiya, District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General-Cum-Commandant General, Bihar Home Guard, Bihar, Patna.
3. The Additional Commandant General, Bihar Home Guard, Bihar, Patna.
4. The Deputy Director General, Bihar Home Guard, Bihar, Patna.
5. The Commandant, Bihar Home Guard, Head Quarter, Bihar, Patna.
6. The Divisional Commandant, Bihar Home Guard, Bihar, Patna.
7. The District Commandant, Bihar Home Guard, Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Advocate Ms. Nidhi, Advocate Mr. Sudarshan Kumar, Advocate Mr. Rajesh Kumar Singh, Advocate
For the State	:	Mr. Kumar Manish, SC- 05 Mr. Prashant Kumar, AC to SC-05

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

*a) For issuance of a
direction/order or an appropriate writ
directing the respondent authority no. 2 to
consider and take a decision on the
representation of the petitioner dated*



24.03.2023 filed against the District Order No. 02/02023, dated 04.02.2023 issued by the respondent no. 7 by which the petitioner was wrongly removed from the service as compulsorily retired fixing his date of retirement as 31.12.2020 whereas the date of retirement of the petitioner as per the service record should have been 31.12.2029 or alternatively direct the respondent authorities to consider reinstatement of the service of the petitioner after setting aside his removal vide District Order No. 02/02023, dated 04.02.2023;

b) For grant of any other relief or relief to which the petitioner is found entitled in the facts and circumstances of this case.

3. Learned counsel for the petitioner submits that, till date, no order has been passed on the petitioner's representation dated 24.03.2023. He further submits that the initial order, against which the petitioner is aggrieved, is the order dated 04.02.2023, passed by the District Commandant, Sheohar.

4. Learned counsel for the State submits that the order passed by the District Commandant, Sheohar, is challengeable before the higher authority.

5. In light of the submissions made above, this Court, without entering into the merits or demerits of the case, directs



the Director General-cum-Commandant General, Bihar Home Guard, Bihar, Patna (Respondent No. 2) to take a decision on the petitioner’s representation within 90 days from the date of production or receipt of this order.

6. Accordingly, the present writ petition stands disposed off.

(Dr. Anshuman, J.)

Aman Kumar/-

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