

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.165 of 2023

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Kundan Kumar Son of Late Dhiredra Yadav @ Dhirendra Kumar Yadav
Resident of Village- Sikarhatti, P.S.- Kumarkhand District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Chief Secretary, State of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The I.G. Home Guard, Head Quarter, Bihar, Patna.
5. The Dy. S.P., Home Guard, Head Quarter, Bihar, Patna.
6. The Collector, Madhepura.
7. The Superintendent of Police, Madhepura.
8. Station House Officer, Shankarpur Police Station, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Advocate
For the Respondent/s : Mr.P.K. Verma (AAG3)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 28-07-2026

Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner has filed the present writ petition for
the following relief/s :-

*“(i) For issuance of writ of Mandamus
commanding the respondent authority to take
legal action to make the payment of all type of
money of grants to the petitioner of his deceased
father who died in course of service tenure on
illness in duty, in accordance with law for which
deceased father was entitled.*

(ii) For issuance of such other



appropriate writ or order or direction which may deem fit and proper in the facts and circumstances of this case.”

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is the son of Home Guard No. 350258, who died while discharging his official duties at Police Station Shankarpur, District Madhepura. It is submitted that the petitioner had filed a representation seeking payment of the admissible grant-in-aid; however, no decision has been taken thereon till date. Learned counsel further submits that although the present writ petition was instituted in the year 2023, no counter affidavit has yet been filed on behalf of the respondents.

4. Learned counsel appearing for the State seeks further time to file a counter affidavit in the matter.

5. This Court is of the view that keeping pending the present writ petition shall not serve any purpose for the purpose of filing counter affidavit only.

6. In the aforesaid background, the petitioner is directed to file a fresh representation before respondent No. 7, namely, The Superintendent of police, Madhepura, along with a copy of this order, within a period of 30 days from today, raising all the grievances urged in the present writ petition. Upon receipt of such representation, the said respondent is directed to



consider and dispose of the same by passing a reasoned and speaking order, after affording an adequate opportunity of hearing to the petitioner within 90 days from the date of its filing.

7. It is made clear that this Court has not expressed any opinion on the merits of the case, and the authority concerned shall decide the representation independently, strictly in accordance with law.

8. With the aforesaid observations and directions, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	31/07/2026
Transmission Date	NA

