

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.26 of 2025

Vidhata Kumar Son of Late Satya Narayan Paswan, Resident of Village-
Madhu Chhapra, Ward No. 11, P.O. Post- Jamua, P.S. and Anchal- Bairgania,
District- Sitamarhi. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Cum Additional Chief Secretary, Department of Home, Government of Bihar, Patna.
2. The Principal Secretary Cum Additional Chief Secretary, Department of Home, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna, the Joint Secretary Department of Home, (Police) Government of Bihar, Patna.
4. The Joint Secretary, Department of Home (Police), Government of Bihar, Patna.
5. The Under Secretary, Department of Home, Government of Bihar, Patna.
6. The Collector Cum Zila Padadhikari, Sitamarhi.
7. The Superintendent of Police, Sitamarhi.
8. The Deputy Collector, (Establishment) Collecteriate, Sitamarhi.
9. The Anchal Adhikari, Bairgania, District- Sitamarhi.
10. The Officer-in-charge, (SHO), Bairgania, P.S. District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suresh Prasad Bhakta, Advocate Mr. Chunnu Kumar, Advocate Mr. Ramesh Thakur, Advocate
For the Respondent/s	:	Mr. Kumar Alok, SC- 7

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-02-2026 Heard learned counsel for the parties.

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

“1. (A) To quash the order dated 20-08-2024 (Annexure-3) passed by the collector, Sitamarhi, in Miscellaneous Case no. 4/2024 filed by the petitioner in the light of the order dated 22-11-2023 (Annexure-1) in C.W.J.C. No.6649/2023 thereunder prayer for compassionate appointment as Chaukidar (Gramin Police) has been rejected



as time barred.

(B) To make compassionate appointment to the petitioner as Chaukidar, (Gramine Police) in place of Ex. Chaukidar, (gramin Police) the father of the petitioner who has been taken Voluntary retirement from the post of Chaukidar (ramin Police) on 30.06.2020.

(C) To grant any other relief / reliefs petitioner is found to be entitled in the facts of circumstances of the case.”

3. The case of the petitioner is that his father having been appointed as a *Chaukidar* by the competent authority on 1.1.1990, he voluntarily retired on 30.6.2020. Inspite of the petitioner's father having filed an application in terms of the notification dated 5.3.2014 for appointment of the petitioner in his place, the respondents have illegally rejected the same by their order dated 20.8.2024 passed in Miscellaneous Case no. 4 of 2024 by the Collector, Sitamarhi, which is impugned in the instant application.

4. The application is opposed by learned counsel for the respondents who submits that the application was not filed by the father of the petitioner a month before his superannuation as required under the aforesaid notification and from the petitioner's own showing in paragraph no.4 of the writ application read with Annexure-2 to the writ application, while the father of the petitioner superannuated from the post of *Chaukidar* on 30.6.2020, the application was filed by him for



the petitioner's appointment subsequent thereto on 10.8.2020.
As such, it is submitted that there is no merit in the instant writ application and the same be dismissed.

5. Heard learned counsel for the parties and perused the material on record.

6. Bereft of unnecessary details, it may be observed here that while the notification dated 5.3.2014 of the Home Police Department requires the superannuating *Chaukidar* to file their application for appointment on compassionate ground a month before their retirement, in the instant case, it is not in dispute that while the petitioner's father superannuated on 30.6.2020, the application came to be filed by him more than a month later on 10.8.2020.

7. As such, in the opinion of the Court, the respondents were right in rejecting the application vide their order dated 20.8.2024 passed in Miscellaneous Case no.4 of 2024 by the Collector, Sitamarhi.

8. The Court finds no illegality in the order impugned and no merit in the instant writ application.

9. The writ application is dismissed.

(Partha Sarthy, J)

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