

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.3269 of 2022

Kaushiv Thapa, son of Late Dhiraj Thapa, resident of House No.12 of Mandir Line, Doranda, Ranchi, P.O. + P.S. Doranda, Ranchi, District Ranchi-834002. **... .. Petitioner**

Versus

1. The State of Jharkhand.
2. The State of Jharkhand, through the Director General of Police, Jharkhand State, Ranchi, having its office at Police Headquarter, Dhurwa, P.O. & P.S. Dhurwa, District Ranchi.
3. The Inspector General of Police, having its office at Police Headquarter, Dhurwa, P.O. & P.S. Dhurwa, District Ranchi.
4. The Deputy Inspector General of Police, having its office at Police Headquarter, Dhurwa, P.O. & P.S. Dhurwa, District Ranchi.
5. The Commandant, Jharkhand Armed Police-I, having its office at Police Headquarter, Dhurwa, P.O. & P.S. Dhurwa, District Ranchi.

... .. Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Ms. Sureshwari Goyal, Advocate
 For the Respondent(s): Mr. Rahul Kamlesh, AC to SC-IV

11/ 21.01.2026

The additional affidavit is taken on record.

2. By filing this writ petition, the petitioner has prayed for the following reliefs:-

- "a) *For issuance of appropriate Writ in the nature of Certiorari or any other Writ (s)/ Order(s)/ Direction(s) for setting aside the memo No.3059 dated 23/07/2020 (Annexure-3).*
- b) *For issuance of appropriate Writ in the nature of Mandamus or any other appropriate writ(s)/ Order(s)/ Direction(s) commanding upon the respondents to consider the fresh Representation of the petitioner to be appointed to the post of constable on which post the petitioner has not been appointed in view of the fact that the father of the petitioner was posted as senior Constable and died while in harness on*

01.01.2015 and at that time the petitioner was minor and was not holding Matriculation so the petitioner had been appointed as Bal Arakshi."

3. Heard learned counsel representing the petitioner and learned counsel representing the respondents.

4. In this writ petition, the petitioner prays to quash the aforesaid impugned Letter dated 23.07.2020 (Annexure-3 to the writ petition), whereby the case of petitioner for compassionate appointment as Constable was not considered on the ground that the petitioner at that point of time was a non-Matriculate. Consequently, the petitioner was removed from the post of "*Bal Arakshi*", where the petitioner was working. The petitioner thus also prays to appoint him as a "Constable".

5. Ms. Sureshwari Goyal, learned counsel representing the petitioner submits that when the petitioner attained majority, he was given an option but as the petitioner failed in Matriculation examination at the first instance i.e. in the year 2019, he was not offered employment. She submits that thereafter due to COVID, since the examination was not held within time, the petitioner could not appear in the said examination but ultimately passed the Matriculation examination in the year 2021. She lastly submits that now the petitioner is a Matriculate and is eligible to be appointed as Constable.

6. The father of this petitioner namely late Dhiraj Thapa, was a Senior Constable. He was the sole bread winner of the family, who died in harness on 01.01.2015.

7. In the State of Jharkhand, there is a concept of appointment of "*Bal Arakshi*". Since, at the time of death of father of the petitioner, the petitioner was aged about 14 years, he was selected as "*Bal Arakshi*". He was provided with an Employment number being *Bal Arakshi* No.48/2011.

8. A "*Bal Arakshi*" who is a minor, is kept under supervision of the Superintendent of Police and the State takes care of his / her education and livelihood and he / she has been paid half the salary of Constable. On attaining the age of majority, if he / she is Matriculate, is given option to join the Police Force as Constable.

9. In this case, admittedly the petitioner was selected as "*Bal Arakshi*" and he worked for 4 – 5 years. Now, since the petitioner is not working, as per the counsel representing the petitioner, it has become very difficult for the family to survive.

10. Considering the submission of the petitioner's counsel and the fact that the petitioner is now a Matriculate and he could not appear in the examination due to COVID, I am inclined to set aside the impugned Letter as contained in Memo No.3059 dated 23.07.2020 (Annexure-3 to the writ petition).

11. However, the matter is remanded back to the Commandant, Jharkhand Armed Police (JAP) - I, who will consider the case of the petitioner sympathetically especially considering the scenario which was prevalent in the year 2020 – 21 (COVID period), which prevented the petitioner to appear in the Matriculation examination within a reasonable time.

12. The decision should be taken within a period of four weeks

from the date of receipt of copy of this order. If the petitioner is offered the post of Constable on compassionate ground, the said order should be communicated to the petitioner within two weeks thereafter.

13. With the aforesaid observation and direction, this writ petition stands **disposed of**.

(ANANDA SEN, J.)

*21st January, 2026
Prashant. Cp-2*

Uploaded on 27.01.2026