

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23485 of 2013

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1. Ramanand Paswan, son of Sitaram Paswan, resident of village and post - Tarauni Kala, P.S. - Bihariganj, District - Madhepura
 2. Suresh Paswan son of Jagdish Paswan, Resident of Village - Rahta, P.S. - Udakishunganj, District - Madhepura
 3. Shaligram Paswan son of Basudev Paswan, Resident of Village - Ramganj, P.S. - Udakishunganj (Gualpara), District - Madhepura
 4. Collector Paswan son of Navab Paswan, Resident of Village - Shahjadpur, P.S. - Udakishunganj, District - Madhepura
 5. Anirudh Paswan son of Bindeshwari Paswan Resident of Village - Thuthi Tola, P.S. - Udakishunganj, District - Madhepura
 6. Pawan Paswan son of Bechan Paswan Resident of Village and Post - Alamnagar, P.S. - Alamnagar, District - Madhepura
 7. Arjun Kumar Das Son Of Ram Das Tatma Resident of Village - Rajni Prasadi Chowk, P.S. - Murliganj, District - Madhepura
 8. Mangal Paswan Son Of Mohan Paswan Resident of Village - Sarauni Kala, P.S. - Bihariganj, District - Madhepura
 9. Dinesh Yadav Son Of Late Govind Yadav Resident of Village and Post - Gualpara, P.S. - Gualpara, District - Madhepura
 10. Ramchander Paswan Son Of Sukrati Paswan Resident of Village - Bhavanipur, P.S. - Singheshwar, District - Madhepura
 11. Basant Ram son of Sajjan Ram Resident Of Village - Maini Rahi Dhurgaon, P.S. - Madhepura (Bharaahi), District - Madhepura
 12. Dinesh Ram son of Chamak Ram Resident of Village and Post - Singheshwar, P.S. - Singheshwar, District - Madhepura
 13. Birender Kumar Rishidev son of Dev Narayan Rishidev Resident of Village - Tema Bhela, P.S. - Udakishunganj (Gualpara), District - Madhepura
 14. Chander Rishidev son of Rabbi Mushar Resident of Village - Majhat, P.S. - Singheshwar, District - Madhepura
 15. Baijnath Paswan son of Bhogi Paswan Resident of Village - Rampur, P.S. - Murliganj, District - Madhepura
 16. Shiv Kumar Paswan son of Lakshmi Paswan Resident of Village - Dudhela Post - Hasanpur, P.S. - Madhepura, District - Madhepura
 17. Lakshman Paswan son of Dayanand Paswan Resident Of Village - Sripur, P.S. - Madhepura, District - Madhepura
 18. Jai Kumar Paswan son of Krit Narayan Paswan Resident of Village - Turkahi, P.S. - Madhepura, District - Madhepura
 19. Chandeshwari Paswan son of Faujdari Paswan Resident of Village - Turkahi, P.S. - Madhepura, District - Madhepura
 20. Bindeshwari Sharma son of Billot Khatve Village - Babhani, P.S. - Gamahria, District - Madhepura

.... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Home (Police) Department, Government of Bihar, Patna
3. The Commissioner, Koshi Division, Saharsa
4. The District Magistrate cum Collector, Madhepura



5. The Superintendent of Police, Madhepura

.... Respondents

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Appearance :

For the Petitioners : Mr. Satish Chandra Jha-3, Advocate.

For the Respondents : Mrs. Shally Kumari, AC to SC-24

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 02-11-2017

Heard learned counsel for the petitioners and learned counsel for the respondents.

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

“(i) To direct the respondents also to consider their past services while considering their appointment on the post of Chaukidar in the light of advertisement dated 11.06.2011 as in the compliance to the direction of the Hon’ble Court’s order dated 22.11.2012 passed in C.W.J.C. No. 14241 of 2007 (Pawan Paswan and others s. The State of Bihar & Ors.), petitioners have also submitted their application in the light of said advertisement, however till date respondents are sitting tight over the matter and till date process of selection has not been started on the ground that aforesaid advertisement dated 11.06.2011 has been stayed by the Hon’ble Court vide order dated 06.09.2011 passed in C.W.J.C. No. 10160 of 2011.

(ii) To direct the respondents to consider the cases of the petitioners in the light of order bearing memo no. 11872 dated 19.10.2006, whereby petitioners were duly appointed as Chaukidar and worked for a considerable period and after examining the cases of the petitioners and their



eligibility and past service record, reinstate them on the post of Chaukidar, as all the petitioners were duly selected by the competent authority in the year 2006.”

3. At the very outset, learned counsel for the petitioners submits that directions have already been issued for completing the selection process in terms of order dated 11.02.2014 passed in C.W.J.C. No. 10160 of 2011 in the following terms:

“Here under the orders of this Court, and also affirmed by the Apex Court, fresh advertisement has been issued. Therefore, clearly, the law of reservation, as applicable on the date of advertisement, has to be applied. In the circumstances, this Court does not find any error in the advertisement issued by the respondents, as contained in Annexure-17, and, therefore, does not find any merit in the writ application and the same is dismissed. The respondents are directed to proceed with the selection process initiated through the said advertisement and complete the same as expeditiously as possible.”

4. Learned counsel for the petitioners submits that the said order dated 11.02.2014 was made the subject matter of LPA No. 1248 of 2014 which has also since been dismissed on 20.04.2017.

5. Learned counsel for the respondents appears and has been heard.

6. Having regard to the nature of grievance of the petitioners and on their request, the present writ petition is disposed



of in line with and on the same terms as C.W.J.C. No. 10160 of 2011.

Md. Ibrarul/BT

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.11.2017
Transmission Date	N.A.

