

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6178 of 2016

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1. Hare Ram Kumar son of Brijnandan Singh, Resident of village- Garna, P.O. Chakandra, P.S.- Chewara, District- Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home Affairs, Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. Director General-cum-Commandant in Chief, Bihar Home Guard Force, Patna
4. The District Magistrate, Sheikhpura
5. The Superintendent of Police, Sheikhpura
6. The District Commandant, Bihar Home Guard Force, Sheikhpura
7. The S.D.O., Sheikhpura
8. The Dy. S.P. Sheikhpura
9. Gunjan Kumar son of Awadh Kumar Singh Resident of village- Gadua, P.O.- Chakandra, P.S. Chewara
10. Santosh Kumar son of Dayanand Prasad Singh Resident of village- Kapasi, P.S. and P.O. Karanda (Chakandra)
11. Naresh Yadav son of Late Amrit Yadav, Resident of Village- Bengucha, P.O. Bahcha, P.S.- Karanda (Chewara)
12. Kanhaiya Kumar son of Chotan Singh, Resident of village- Asarha, P.S.- Karanda (Chewara)
13. Bholu Kumar son of Ramesh Ram Resident of village- Balkhundi, P.O. Ekrama, P.S.- Ariaria (Chewara)
14. Gaurav Kumar son of Prem Kumar, Resident of village & P.O. Lohan, P.S.- Ariari
15. Binod Kumar son of Saket Singh Resident of village- Kemra, P.O. Diha, P.S. Ariari. All of District- Sheikhpura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abdul Mannan Khan, Adv.
Mr. Binay Kumar, Adv.
For the Respondent/s : Mr. Md. Irshad, A.C. to S.C.1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 10-04-2018

Heard Mr. Abdul Mannan Khan, learned counsel for the petitioner and Mr. Md. Irshad, A.C. to S.C.1 for the State.

The petitioner is aggrieved by the result of the selection process



initiated by the respondents for filling up of the 11122 vacancies of Home Guards, the details of which are present in the advertisement published on 16.07.2011 enclosed at Annexure-2 to the writ petition. The prescriptions as to the constitution of the Selection Committee are present at paragraph 5 of the advertisement which is to be chaired at the District level by the District Magistrate. In so far as the case in hand is concerned, it would be the District Magistrate, Sheikhpura who is the Chairman of the Committee.

The grievance of the petitioner is against his non selection and the reason that has been assigned by the respondents in the counter affidavit filed through the Commandant, Bihar Home Guards, Sheikhpura, respondent No.6 can be found at paragraph 8 in which it is stated that the total number of vacancies in the unreserved category of Chewara Block was 17 (15 for male and 2 for female). It is further mentioned that on the basis of the final performance, a merit list was prepared and the petitioner with 9 marks was not found amongst the successful candidates because the last candidate in the general category had secured 10 marks. It is thus explained that the petitioner on the basis of his 9 marks secured failed to make into the merit list of the general candidates.

Mr. Md. Irshad, in reference to the select list at Annexure-C has invited the attention to this Court to Item No.59 which contains the



name of the petitioner and awards him 9 marks.

Having heard learned counsel for the parties and considering the reasons assigned for non selection of the petitioner, I am not persuaded to interfere with the decision nor the result thereof.

The writ petition is disposed of.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.04.2018
Transmission Date	NA

