

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1486 of 2019

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Shailesh Kumar S/o Sudeshwar Prasad Yadav @ Sudharshan Ray Vill.-
Sondha Bazar Samiti, Chapra, Distt.-Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Home (Special) Department, Govt. of Bihar, Patna
2. The Commandant General Home Guards Services, Bihar, Patna
3. The District Magistrate-cum-Chairman Home Guards District Selection Committee, Chapra, Saran, Bihar
4. The Superintendent of Police-cum-Member Home Guards District Selection Committee, Chapra, Saran, Bihar
5. The District Commandant Home -cum-Member Secretary Home Guards District Selection Chapra, Saran, Bihar
6. The District Welfare Officer-cum-Member Home Guards District Selection Chapra, Saran, Bihar
7. The D.I.G. Chapra, Saran, Bihar Saran, Bihar
8. Shiv Shankar Mahto S/o Ramekbal Mahto R/o Vill.-Pir Maker, P.s. and P.o.- Maker, Distt.-Saran

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Shashi Bhushan Kumar, Advocate
For the Respondents : Mr. Md.N.H.Khan (Sc1)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 28-01-2019

Heard the learned counsel for the petitioner and the State.

2. Pursuant to an Advertisement No. 01/2006, which was issued for inviting applications for appointment of Home Guards in all the districts in the State of Bihar, the petitioner applied for the same and his name appeared at Serial No. 321 of the merit list. No appointment letter, however, was issued to the petitioner and to his dismay and shock, he learnt that persons who have obtained lesser marks than the petitioner have been issued the



appointment letters. One such instance is with respect to private respondent no. 8.

3. It has been submitted on behalf of the petitioner that a representation was made before the concerned authority but to no avail. It has thus been asserted that since the petitioner belongs to the backward category and higher marks than such persons who have been issued the appointment letter including the private respondent no. 8, there is no reason why the petitioner should be shut out from the process of the appointment/selection.

4. Let the petitioner represent afresh before the Superintendent of Police-cum-Member, Home Guards District Selection Committee, Chapra, Saran with all the aforesaid facts, enclosing a copy of this order within a period of three weeks from today and on receipt of such application, the Superintendent of Police-cum-Member, Home Guards District Selection Committee, Chapra, Saran shall dispose of the representation by keeping in mind that the petitioner has obtained more marks than some of the persons who have been issued appointment letters and that some of the posts of the Home Guard is still vacant and shall pass orders in accordance with law within a period of four weeks thereafter.



5. With the aforesaid observation/direction, the writ petition is disposed off.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2019
Transmission Date	

