

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19668 of 2014

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1. Ashok Kamti Son of Achelal Kamti Resident of Village P.O.P.S-Kumarkhand, District-Madhepura
 2. Raju Kumar Sah Son of Shibu Sah Resident of Village P.O-Yadua Patti, P.S-Kumarkhand, District-Madhepura
 3. Manoj Kumar Pandit Son of Bhwaneshwari Pandit, Resident of Village+P.O-Yadua Patti, P.S-Kumarkhand, District-Madhepura
 4. Subash Kumar Son of Khushi Lal Yadav Resident of Village P.O-Yadua Patti, P.S-Kumarkhand, District-Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar
2. The Home Secretary, Govt. of Bihar, Patna
3. The D.G.Cum Commandant General, Bihar Home Guard, Patna
4. The D.I.G.of Police and Deputy Commandant General, Bihar Home Guard, Patna
5. The District Magistrate, Madhepura
6. The In Charge Officer, General Section Madhepura
7. The S.P Madhepura
8. The District Commandant, Home Guard, Madhepura

... .. Respondent/s

Appearance :

For the Petitioner/s : None.
For the Respondent/s : Mr. Jai Shankar Barnwa, GA-5

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

4 19-12-2022

1. No one appears for the petitioners.

2. The petitioners by way of this writ petition have prayed for issuance of appropriate writ, order or direction to the respondents to issue and complete the fresh selection process of Home Guard issued in 2005 and for grant of all consequential benefits.

3. With regard to the said selection process, the matter



travelled up to Division Bench of this Court and the Division Bench passed the following orders:-

“We find no good reasons to interfere with the order passed by learned Single Judge because obviously no direction can be issued for the appointment of the petitioners/ appellants at this stage. However, the appeal is disposed of with a direction to the District Magistrate, Madhepura to apto all the relevant facts and if he finds that the selection process cannot be taken further then he must issue necessary directions for cancelling the selection process already initiated and for initiating a fresh selection process. This must be done without any delay, preferably, within three months.ply his mind to all the relevant facts and if he finds that the selection process cannot be taken further then he must issue necessary directions for cancelling the selection process already initiated and for initiating a fresh selection process. This must be done without any delay, preferably, within three months.”

4. Keeping in view thereto, the District Magistrate has cancelled the entire selection process.

5. In view of the cancellation order passed by the District Magistrate dated 03.11.2011, which is in conformity with the observation of the Division Bench. The prayer made by the petitioners is wholly misconceived and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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Item no.26

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