

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9693 of 2020

1. Durga Prasad Rajak Son of Ram Prasad Rajak Resident of Tilkamanjhi Hat, P.S.- Tilkamanjhi, Bhagalpur.
2. Binod Rajak Son of Bishwa Nath Rajak Resident of Ward No.4, Gadhia, P.S.- Gadhia, Dist- Purnia.
3. Subodh Kumar Choudhry Son of Late Malo Choudhry Resident of Vill- Sultanpur Bhatti, Sabour, P.S.- Sabour, Dist- Bhagalpur.
4. Dipak Kumar Bharti Son of Maheshwar Prasad Sah Resident of 34, Bhagat Lal Mishra Gali, Bari Khanjarpur, Surkhikal Bhatta Road, P.S.- Tilkamanjhi, Dist- Bhagalpur.
5. Md. Asad Raza Son of Md. Shamshad Raza Resident of 35, Tank Lane, Gumti No.3, Bhikhanpur, P.S.- Ishakchak, Dist- Bhagalpur.
6. Md. Rahimuddin Son of Md. Nayeemuddin Resident of Mirdaha Lane, Barahpura, P.S.- Ishakchak, Dist- Bhagalpur.
7. Md. Haidar Ali Son of Md. Siddique Resident of Mohalla- Sufi Tola, Fatehpur, Sabour, P.S.- Sabour, Dist- Bhagalpur.
8. Diwakar Kumar Son of Kusheshwar Yadav Resident of Vidyut Anchal Marg, Mayaganj, P.S.- Barari, Dist- Bhagalpur.
9. Nirmal Kumar Singh Son of Umesh Prasad Singh Resident of Vill- Chapra, Kolhata, P.S.- Barahat, Dist- Banka.
10. Jai Prakash Sharma Son of Yogendra Prasad Sharma Resident of Vill- Bakhadda, Rajoun, Kathrang, P.S.- Rajoun, Dist- Banka.
11. Kaushalya Kumari Wife of Ashok Yadav Resident of Jaiprakash Lane, Upper Gwal Toli, P.S.- Kotwali, Dist- Bhagalpur.
12. Prem Lata Kumari Wife of Ranjan Kumar Sharma Resident of Mohalla- Puraniganj, P.S./Dist- Munger.
13. Anju Devi Wife of Krishna Mandal Resident of Mohalla- Shadipur, Behind Bari Durga Asthan, P.S./Dist- Munger.
14. Anil Kumar Sharma Son of Baldeo Sharma Resident of Mohalla- Puraniganj, C.V. Sao, P.S./Dist- Munger.
15. Pankaj Kumar Son of Tanik Lal Sah Resident of Mohalla- Sadipur, Front of Chhoti Durga Asthan P.S./Dist- Munger.
16. Kavita Devi Wife of Fani Bhushan Das Resident of Gali No.2, Purani Durga Asthan, P.S.- Sultanganj, Dist- Bhagalpur.
17. Shashi Bhushan Das Son of Girish Das Resident of Ward No.1, Sultanganj, P.S.- Sultanganj, Dist- Bhagalpur.
18. Pankaj Kumar Son of Baidyanath Gope Resident of Jail Road, Jawaripur, P.S.- Tilkamanjhi, Dist- Bhagalpur.
19. Amit Kumar Son of Jagarnath Prasad Yadav Resident of Mohalla- Jawaripur, Near Kali Mandir, P.S.- Tilkamanjhi, Dist- Bhagalpur.
20. Ashok Kumar Son of Bhagwat Pandit Resident of Vill- Mansarpur, Sabour, P.S.- Sabour, Dist- Bhagalpur.



21. Ratnesh Pandit Son of Narsingh Pandit Resident of Village- English Chichron, Akbarnagar, P.S.- Akbarnagar, Dist- Bhagalpur.
22. Pawan Kumar Das Son of Laxman Das Resident of Jai Praksh Pandey Lane, Jogsar, P.S.- Kotwali, Dist- Bhagalpur.
23. Ranjeet Kumar Choudhry Son of Sahdeo Choudhry Resident of Mohalla- Adampur, Near C.M.S. High School, P.S.- Adampur, Dist- Bhagalpur.
24. Md. Tajuddin Son of Md. Juber Ahmed Resident of Ward No.3, Kajipura, Kahalgaon, P.S.- Kahalgaon, Dist- Bhagalpur.
25. Baijnath Paswan Son of Satya Narayan Paswan Resident of Vill- Kutaha, P.S.- Lodipur, Dist- Bhagalpur.
26. Md. Changez Alam Son of Md. Mohiuddin Resident of Vill- Dharhara, P.S.- Dharhara, Dist- Bhagalpur.
27. Md. Asif Raza Son of Md. Israil Khan Resident of Vill- Samastipur, Shahkund, P.S.- Shahkund, Dist- Bhagalpur.
28. Md. Ansarul Haque Son of Md. Rustam Resident of Ward No.5, Belgadiya, Sanhoula, P.S.- Sanhoula, Dist- Bhagalpur.
29. Atul Kishor Kapur Son of Mahavir Thakur Resident of Jhawakothi, Khanjarpur, P.S.- Tilkamanjhi, Dist- Bhagalpur.
30. Sudhakar Chourasia Son of Narayan Chourasia Resident of Moh- Kutubganj, Near Mahadeo Talab, P.S.- Mojahidpur, Dist- Bhagalpur.
31. Neva Lal Das Son of Late Sitabi Das Resident of Moh- Jogsar, Gonarlal Lane. P.S.- Jogsar, Dist- Bhagalpur.
32. Sharqa Shamin Wife of Md. Hemayat Resident of Din Mohammad Lane, Narga Bazar, Mohanpur P.S.- Nathnagar, Dist- Bhagalpur.
33. Raushan Ara Wife of Md. Gyas Uddin Resident of Hakim Amir Hussain Lane, Tatarpur, P.S.- Tatarpur, Dist- Bhagalpur.
34. Md. Asfaq Quraishi Son of Md. Gulam Rabbani Resident of Hakim Ameer Hasan Lane, Tatarpur, P.S.- Tatarpur, Dist- Bhagalpur.
35. Nuzhat Ara Wife of Md. Sahab Jan Resident of Moh- Nayachak, Mojahidpur, Purabtola, P.S.- Mojahidpur, Dist- Bhagalpur.
36. Pradip Kumar Son of Mahendra Ram Resident of Mohalla- Bhikhanpurn Bhatta Road, P.S.- Ishakchak, Dist- Bhagalpur.
37. Renu Bala Das Wife of Vinay Kumar Das Resident of Karpuri Modi Lane, Barari, P.S.- Barari, Dist- Bhagalpur.
38. Binay Kumar Das Son of Ramcharan Das Resident of Karpuri Modi Lane, Barari, P.S.- Barari, Dist- Bhagalpur.
39. Vijay Kumar Sharma Son of Jaydeo Sharma Resident of Mohalla- Kasim Bazar, Near Durga Asthan, P.S./Dist- Munger.
40. Rajiv Ranjan Son of Anandi Pasi Resident of Mishra Colony, Lallu Pokhar, P.S./Dist- Munger.
41. Sulekha Kumari Wife of Anand Prasad Singh Resident of Village- Angan, Puraini, P.S.- Jagdishpur, Dist- Bhagalpur.
42. Bishundeo Ram Son of Moti Ram Resident of Mohalla- Bhikhanpur Gumti



No.2, Bhatta Road, P.S.- Ishakchak, Dist- Bhagalpur.

43. Tej Narayan Das Son of Chitranjan Das Resident of Village- Madrauni, Rangra, P.S.- Shambhuganj, Dist- Bhagalpur.
44. Chandra Shekhar Kumar Son of Kishun Das Resident of Harijan Tola, Bhikhanpur, Gumti No.2, P.S.- Ishakchak, Dist- Bhagalpur.
45. Rudreshwari Jha Son of Sanjay Kumar Jha Resident of Mohalla- Manikpur Buzurg, Durga Mandir Rd, P.S.- Babarganj, Dist- Bhagalpur.
46. Amitesh Kumar Son of Birendra Nath Jha Resident of Mohalla- Marrufchak, Gurudwara Road, P.S.- Habibpur, Dist- Bhagalpur.
47. Pritam Kumar Son of Dip Chand Ram Resident of Moh- Bhikhanpur, R.B.S.S. Road, Gumti No.3, P.S.- Ishakcha, Dist- Bhagalpur.
48. Mamta Kumari Daughter of Diwakar Mandal Resident of Moh- Chhoti Khanjarpur, G.B. Jha Lane, P.S.- Tilka Manjhi, Dist- Bhagalpur.
49. Anju Kumari Wife of Ashok Kumar Singh Resident of Mohalla- Lalapur, Ramkrishnanagar Khuthari P.S.- Kahalgaon, Dist- Bhagalpur.
50. Punam Kumari Wife of Vanshidhar Mandal Resident of Vill- Bahadurpur, Simariya, P.S.- Kajraili, Dist- Bhagalpur.
51. Shambhu Ram Son of Bhumi Ram Resident of Vill- Jhandapur, Thandapur, P.S.- Bihpur, Dist- Bhagalpur.
52. Manoranjan Kumar Son of Ramswarup Das Resident of Vill- Jhandapur, Thandapur, P.S.- Bihpur, Dist- Bhagalpur.
53. Munni Kumari Wief of Nirmal Kumar Das Resident of Vill- Jhandapur, Near Kali Kabutra Asthan, P.S.- Bihpur, Dist- Bhagalpur.
54. Gopal Haridjan Son of Dasrath Harijan Resident of Vill- Gowardhanpur, Machhipur, P.S.- Goradih, Dist- Bhagalpur.
55. Subhash Kumar Mandal Son of Late Prasadi Mandal Resident of Vill- Masarhu, Mamalkha, P.S.- Tetari, Dist- Bhagalpur.
56. Lalita Devi Wife of Rajesh Das Resident of Vill- Tetari, P.S.- Tetari, Dist- Bhagalpur.
57. Md. Kabir Alam Son of Md. Ansar Baitha Resident of Village- Ujani, Maniamore, P.S.- Naugachia, Dist- Bhagalpur.
58. Manoj Kumar Son of Chaitu Das Resident of Vill- Laluchak, Angari, P.S.- Lodipur, Dist- Bhagalpur.
59. Ranju Kumari Wife of Manoj Kumar Das Resident of Vill- Laluchak, Angari, P.S.- Lodipur, Dist- Bhagalpur.
60. Birendra Kumar Son of Hari Charan Das Resident of Village- Jichho, Near Durga Mandir, P.S.- Goradih, Dist- Bhagalpur.
61. Manju Devi Wife of Birendra Kumar Resident of Vill- Bishanpur Jichho, P.S.- Goradih, Dist- Bhagalpur.
62. Anil Kumar Son of Bindeshwari Prasad Sah Resident of Moh- Mirjanhat, Kailashpuri Colony, P.S.- Mojahidpur, Dist- Bhagalpur.
63. Mukesh Kumar Son of Sunil Kumar Mitra Resident of Vill- Lakhanpur, Dhanhi Belari, P.S.- Goradih, Dist- Bhagalpur.



64. Pankaj Kumar Son of Parmeshwar Tanti Resident of Mohalla- Jogsar, Near Burhanath Mandir, P.S.- Jogsar, Dist- Bhagalpur.
65. Sunil Kumar Son of Hari Lal Poddar Resident of Village- Tetari, P.S.- Naugachia, Dist- Bhagalpur.
66. Sanjay Kumar Sanjay Son of Parmanand Das Resident of Vill- Vikrampur, Bihpur, P.S.- Bihpur, Dist- Bhagalpur.
67. Tulsi Kumar Mandal Son of Rajendra Prasad Mandal Resident of Moh- Laluchak, Devi Mandap Lane, P.S.- Lodipur, Dist- Bhagalpur.
68. Rajesh Kumar Son of Suresh Paswan Resident of Village- Kharba, Khiriband, P.S.- Mojahidpur, Dist- Bhagalpur.
69. Raj Kumar Bharti Son of Radhe Das Resident of Vill- Jichho, Bishunpur Jichho, P.S.- Goradih, Dist- Bhagalpur.
70. Sandip Kumar Son of Ramcharan Sah Resident of Vill- Yogia, Nadiyama, P.S. Goradih, Dist- Bhagalpur.
71. Sudhanshu Kumar Son of Jay Narayan Prasad Resident of Village- Barari, Near B.P. Gas Godown, P.S.- Barari, Dist- Bhagalpur.
72. Dinesh Pandit Son of Jagdish Pandit Resident of Vill- Duldulia, Aulapur, P.S.- Pirpainty, Dist- Bhagalpur.
73. Arun Kumar Rajak Son of Shyam Rajak Resident of Moh- Deepnagar, Near Vyayamshala, P.S.- Kotwali, Dist- Bhagalpur.
74. Anil Paswan Son of Mukesh Kumar Singh Resident of Vill- Gulni Kushaha, P.S.- Shambhuganj, Dist- Bhagalpur.
75. Shailendra Kumar Son of Rameshwar Prasad Resident of Mohalla- Barari, Near Ray Bahadur Vidyalaya, P.S.- Barari, Dist- Bhagalpur.
76. Pankaj Kumar Jha Son of Rajnarayan Jha Resident of Vill- Bhawanipur, Rangra Chowk, P.S.- Rangra, Dist- Bhagalpur.
77. Manoj Kumar Son of Basant Prasad Singh Resident of Vill- Kathara, P.S.- Sultanganj, Dist- Bhagalpur.
78. Manisha Bharti Wife of Nawal Kishore Das Resident of Vill- Kharik Bazar, P.S.- Kharik, Dist- Bhagalpur.
79. Satyadeo Kumar Prabha Son of Kamlapati Yadav Resident of Vill- Kutaha, P.S.- Lodipur, Dist- Bhagalpur.
80. Ved Praksh Rahul Son of Nawal Kishore Das Resident of Vill- Kharik, P.S.- Kharik, Dist- Bhagalpur.
81. Subodh Kumar Singh Son of Naresh Prasad Singh Resident of Vill- Tetariya, Bhulni, Shahkund, P.S.- Shahkund, Dist- Bhagalpur.
82. Pankaj Kumar Son of Kiran Prasad Yadav Resident of Vill- Kutaha, P.S.- Lodipur, Dist- Bhagalpur.
83. Gobardhan Choudhry Son of Late Narsingh Choudhry Resident of Moh- Ishakchak, Shyamal Das Lane, P.S.- Ishakchak, Dist- Bhagalpur.
84. Prasun Paswan Son of Nand Kishor Paswan Resident of Vill- Chandpur, Logai, P.S.- Amarpur, Dist- Bhagalpur.
85. Pradip Kumar Das Son of Lankeshwar Das Resident of Moh- Jawripur, Jail



Road, P.S.- Tilkamanjhi, Dist- Bhagalpur.

86. Nibha Kumari Wife of Sanjay Kumar Resident of Bhagalpur Road, Near Tata Show Room, P.S./Dist- Dumka (Jharkhand).
87. Shashi Bhushan Das Son of Shyam Sundar Das Resident of Moh- Chhoti Khanjarpur, Near Makbara, P.S.- Tilkamanjhi, Dist- Bhagalpur.
88. Bhola Prasad Son of Ayodhya Paswan Resident of Moh- Paswan Tola, Fatehpur, P.S.- Zero Mile, Dist- Bhagalpur.
89. Bharat Das Son of Bhalo Das Resident of Moh- Sikandarpur, P.S.- Mojahidpur, Dist- Bhagalpur.
90. Manju Devi Wife of Rajendra Prasad Tanti Resident of Moh- Mundichak, G.P. Verma Lane, P.S.- Ishakchak, Dist- Bhagalpur.
91. Sanjiv Kumar Son of Brahmdeo Mandal Resident of Vill- Bihpur, P.S.- Bihpur, Dist- Bhagalpur.
92. Sadhana Gupta Wife of Rajesh Kumar Gupta Resident of Moh- Nawab Colony, Tilkamanjhi, P.S.- Tilkamanjhi, Dist- Bhagalpur.
93. Manoj Kumar Mandal Son of Parmanand Mandal Resident of Village- Sonbarsa, P.S.- Sanhaula, Dist- Bhagalpur.
94. Anil Kumar Son of Jyotish Yadav Resident of Vill- Kutaha, P.S.- Lodipur, Dist- Bhagalpur.
95. Pappu Kumar Son of Ganesh Prasad Singh Resident of Vill- Kolhadda, NH-1, Rupsa, P.S./Dist- Banka.
96. Rajesh Kumar Jha Son of Gopal Jha Resident of Moh- Lichhi Bagan, Ishakchak, P.S.- Ishakchak, Dist- Bhagalpur.
97. Pradip Kumar Singh Son of Vijay Kumar Singh Resident of Vill- Jagarnathpur, Kishanpur Amkhorla, P.S.- Nathnagar, Dist- Bhagalpur.
98. Rajiv Kumar Son of Surendra Das Resident of Vill- Kharik Bazar, P.S.- Kharik, Dist- Bhagalpur.
99. Srikant Thakur Son of Kishan Thakur Resident of Kalgiganj, Near Middle School, P.S.- Kahalgaon, Dist- Bhagalpur.
100. Kundan Kumar Chandan Son of Umakant Das Resident of Village- Vikrampur, P.S.- Bihpur, Dist- Bhagalpur.
101. Indu Bhushan Manav Son of Raghubar Dayal Singh Resident of Vill- Daulatpur Simri, Banshi Tola, P.S.- Bihta, Dist- Patna.
102. Raj Bihari Yadav Son of Khobari Yadav Resident of Vill- English, Farka, P.S.- Sabour, Dist- Bhagalpur.
103. Ravi Shankar Yadav Son of Basukinath Yadav Resident of Vill- Madhuvan, Tola, Ammapali, P.S.- Pirpainti, Dist- Bhagalpur.
104. Suman Kumar Sinha Son of Dip Nrayan Mandal Resident of Vill- Lougain, P.S.- Sabour, Dist- Bhagalpur.
105. Sikandar Mandal Son of Dhanraj Mandal Resident of Vill- English, Farka, P.S.- Sabour, Dist- Bhagalpur.
106. Gopal Kumar Mandal Son of Jhamu Mandal Resident of Vill- English, Farka, P.S.- Sabour, Dist- Bhagalpur.



107 Udesb Kumar Yadav Son of Yogendra Prasad Yadav Resident of Vill-
English, Farka, P.S.- Sabour, Dist- Bhagalpur.

108 Narad Prasad Yadav Son of Late Tapesbwar Yadav Resident of Vill-
Bahangama, Kalkiganj, P.S.- Kagalgaon, Dist- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration
Department, Govt. of Bihar, Patna.
2. The Commissioner, Bhagalpur.
3. The Collector, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Ghosarvey

For the Respondent/s : Ms. Shilpa Singh, GA-12

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 13-05-2022

The matter is heard through video conferencing.

2. In the instant petition, petitioners have prayed for
following reliefs:-

“1. That the petitioner seeks the
indulgence of this Hon’ble Court for issuance
of an appropriate Writ or Writs preferably in
the nature of Mandamus for the following
reliefs:

(i) Direction to the respondents
authorities to extend the validity of period of
the 4th Grade Panel List, 2019 prepared by the
competent authority (District Magistrate,
Bhagalpur) for appointment of 4th grade
employee which validity of one year has to be
ended on 02.07.2020,

(ii) Direction to the respondent
authorities to appoint the petitioners from the



4th Grade Panel, 2019 which has been kept in abeyance in view of the order dated 13.01.2020 passed by this Hon'ble Court in CWJC No. 21093/2019.

(iii) Direction to the respondent authorities to appoint the candidates from the Panel within 60 (Sixty) days as soon as the order dated 13.01.2020 is vacated by this Hon'ble Court.

(iv) Any other relief or reliefs to which the petitioners are entitled may kindly be given.”

3. For issuance of writ of mandamus, petitioners must establish their statutory right before the competent authority followed by demand in writing, like submission of application/representation. In the absence of aforesaid ingredients, petitioners are not entitled to the relief sought in the present petition in the light of Apex Court's decisions in the case of *Mani Subrat Jain V. State of Haryana & Ors.* reported in *A.I.R. 1977 SC 276* read with *Union of India Vs. Arulmozhi Iniarasu* reported in *(2011)7 SCC 397*.

4. Accordingly, the present petition stands disposed of reserving liberty to the petitioners to submit a detailed representation before the selecting and appointing authority apprising that the petitioners have statutory right to seek selection and appointment as claimed by them. If such representation/application is submitted before the competent



authority within a period of eight weeks from the date of receipt of this order, the competent authority shall take decision while passing speaking order whether petitioners are entitled to selection and appointment or not, within a period of three months from the date of receipt of petitioners’ application/representation.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	18.05.2022
Transmission Date	

