

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7167 of 2022

1. Naveen Ram Son of Late Bhaglu Ram Resident of Village- Menha, Ward No.15, Post Office- Khadipur, Block Satar Kataiya, Bhaya Panchgachhiya, P.S.- Bihrah, Dist- Saharsa, Roll No. 497, Total Marks 10, Graduate, Phone No. 9060887503.
2. Shankar Kumar Son of Late Tapeshwari Yadav Resident of Village- Makuna, Ward No. Satar Kataiya, P.S. Bihrah, Dist- Saharsa, Roll No. 1115, Total Marks- 09, Matric, Phone No. 9835609250.
3. Madan Chaudhary Son of Raghunath Chaudhary R/o Makuna, Ward No.13, Block Satar Kataiya, P.S. Bihrah, Dist- Saharsa, Roll No. 967, Total Marks- 10, Matric, Phone No. 9572739051.
4. Uttam Kumar Son of Subey Yadav Resident of Village- Makuna, Ward No. 11, Block Satar Kataiya, Dist- Saharsa, Roll No.- 695, Total Marks- 08, Matric Phone No. 9304059696.
5. Om Prakash @ Om Prakash Yadav Son of Dhanik Lal Yadav Resident of Village- Makuna Ward No.11, Block Satar Kataiya, P.S. Bihraah Dist- Saharsa, Roll No.- 707, Total Marks- 10, Intermediate, Phone No. 7061537364.
6. Dilip Kumar Son of Sikit Lal Paswan Resident of Village- Makuna, Ward No.13, P.S. Bihrah, Dist- Saharsa, Roll No.- 461, Total Marks 10, 7th Pass out, Phone No. 6377256565.
7. Alok Kumar Son of Rajendra Parsad Yadav Resident of Village- Makuna, Ward No.10, Block Satar Kataiya, P.S. Bihrah, Dist- Saharsa, Roll No.- 176, Total Marks 12, Graduate, Phone No.
8. Sanjay Kumar Ram Son of Narayan Ram Resident of Village- Khonaha, Ward No. 11, Block Satar Kataiya, P.S. Bihrah, Dist- Saharsa, Roll No. 1343, Total No. 06, 8th Pass out, Phone No. 7323827350.
9. Daya Nand Paswan Son of Maridev Paswan Resident of Village- Makuna, Ward No. 13, Block Satar Kataiya, P.S. Bihrah, Dist- Saharsa, Roll No. 1329, Total Marks 12, 8th Pass out, Phone No. 8595911273.
10. Chandra Kumari Son of Rajeshwar Sada Resident of Village- Bijalpur, Ward No. 08, Block Satar Kataiya, P.S. Bihra, Dist- Saharsa, Roll No. 986, Total Mark- 09, 5th pass out.
11. Bhupendra Kumar Son of Khara Nand Yadav Resident of Village- Padampur, Ward No. 09, under gram Panchayat- Bijalpur, Block- Satar Kataiya, Dist- Saharsa, Roll No. 1171, Total Marks- 8, Matric Phone No.
12. Sanjay Kumar Son of Late Ramshakal Parsad Yadav Resident of Village- Menha, Ward No.17, Block Satar Kataiya, P.S. Bihra, Dist- Saharsa, Roll No. 1223, Total Marks 10, Intermediate, Phone No.
13. Shambhu Kumar Son of Shafendra Yadav Resident of Village- Khanha, Ward No.11, Block Satar Kataiya, P.S. Bihra, Dist- Saharsa, Roll No.122, Total Mark- 09, Intermediate.
14. Arvind Kumar Son of Satyanaryan Yadav Resident of Village- Mankhahi, Ward No.08, Post Office- Makuna, Block- Satar Kataiya, P.S. Bihra, Dist-



Saharsa Roll No. 80, Total Mark- 10, Matric.

15. Bijendra Kumar Son of Dunilal Yadav Resident of Village- Monkhohi, Ward No. 08, Post- Makuna, Block Satar Kataiya, P.S.- Bihra, Dist- Saharsa, Phone No., Roll No. 81, Total Mark- 10, Matric.
16. Gajendra Kumar Son of Chandeshwari Yadav Resident of Village- Khoneha, Ward No.11, P.S. Bihra, Dist- Saharsa, Roll No. 121, Total Marks 12, Intermediate.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Ministry of Home Department, Government of Bihar, Patna.
2. The Commandant General, Home Guard, Headquarter Grih Raksha, Vahini, Chajjubagh, Patna- 01.
3. The Director General cum Commandant General, Bihar Home Guard, Patna and Bihar Fired Services, Bihar, Patna.
4. The District Magistrate cum Collector, Saharsa.
5. The Superintendent of Police, Saharsa.
6. The District Commandant, Bihar Home Guard, Saharsa.
7. The Senior District Commandant, Bihar Home Guard, Saharsa.
8. Ranjeet Kumar Son of Seet Kumar Yadav Resident of Village- Jarsen, Nandlal, Block Satar Kataiya, P.S., Bihrah, Dist- Saharsa.
9. Ravi Shankar Kumar Son of Ravinder Yadav Resident of Village- Dumma, Bihra, Block- Satar Kataiya, Dist- Saharsa.
10. Parveen Kumar Parnav Son of Rajendra Yadav Resident of Village- Padampur, Khodipur, Block Satar Kataiya, P.S. Bihrah, Dist- Saharsa.
11. Kamal Kishore Kumar Son of Chandra Prasad Yadav Resident of Village- Sahpur, Murlibasantpur, Block Satar Kataiya, P.S. Bihrah, Dist- Saharsa.
12. Abhinandan Kumar Son of Harihar Yadav Resident of Village- Aaran, P.S. Bihrah, Block- Satar Kataiya, Dist- Saharsa.
13. Parveen Kumar Nirala Son of Satanand Prasad Yadav Resident of Village- Sishay, Block Satar Kataiya, P.S. Bihra, Dist- Saharsa.
14. Md. Safik Son of Md. Iliyas Resident of Village- Khonha, Khodipur, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
15. Abhinandan Yadav Son of Yogendra Yadav Resident of Village- Bholwa, Aaran, P.S. Bihrah, Block Satar Kataiya, Dist- Saharsa.
16. Abhinandan Kumar Son of Vidhanand Yadav Resident of Village- Sahpur, Murli Basantpur, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
17. Md. Harun Rashid Son of Md. Suleman Resident of Village- Bhleva Aaran, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
18. Nisha Kumari Son of Rajilal Parsad Resident of Village- Sahpur, Murli Basantpur, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
19. Rajeev Kumar Paswan Son of Mahendra Paswan Resident of Village-



Gabargadh, Nandlali, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.

20. Kavel Paswan Son of Pitambar Paswan Resident of Village- Gobargadh, Nandlali, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
21. Jayram Paswan Son of Fulo Paswan Resident of Village- Sisay, P.S.- Bihra, Block Satar Kataiya, Dist- Saharsa.
22. Nandlal Paswan Son of Ramdev Paswan Resident of Village- Gabargadh, Nandlali, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
23. Budhinath Kumar Son of Shivi Kishore Paswan Resident of Village and P.S.- Bihra, Block Satar Kataiya, Dist- Saharsa.
24. Sudhir Kumar Chopal Son of Parmeshwar Chopal Resident of Village- Tunyahi, Purtoshampur, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
25. Shyamal Pandit Son of Hareram Pandit Resident of Village- Purkhi, Purtoshampur, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
26. Budhin Kumar Son of Gholu Thakur Resident of Village- Nandlali, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
27. Sanjay Kumar Kumwat Son of Mahavir Kumwat Resident of Village- Shihool, P.S. Bihra, Block- Satar Kataiya, Dist- Saharsa.
28. Anita Devi Son of Shibhu Sharma Resident of Village- Naraiya, Panchgachhiya, P.S. Bihra, Block- Satar Kataiya, Dist- Saharsa.
29. Md. Nijam Son of Md. Hasmuddin Resident of Village- Lokahi, Nandlali, P.S. Bihra, Block, Satar Kataiya, Dist- Saharsa.
30. Santu Kumar Son of Kamleshwari Yadav Resident of Village- Dumma, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
31. Ajay Dev Son of Manoj Kumar Resident of Village- Aagwanpur, Murli Basantpur, P.S. Bihra, Block Satar Kataiya, Dist- Saharsa.
32. Chandan Kumar Son of Rambhalav Yadav Resident of Village- Khonha, Khodipur, P.S.- Bihra, Block Satar Kataiya, Dist- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh, Adv.

For the Respondent/s : Mr.Sheo Shankar Prasad (SC-8)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-12-2023

1. The present writ petition has been filed seeking the

following relief(s):-

“1.i. For issuance of writ/writs, order/orders, direction/directions, in the nature of Certiorari for quashing the Impugned Letter No. 715 dated



30.04.2022, issued by the Senior District Commandant, Bihar Home Guard, Saharsa, in view of Advertisement No. 02/2011 for recruitment in Bihar Home Guard, issued by the Director General cum Commandant General Bihar, Home Guard, Patna, and Bihar Fire Services, Patna, through the Home Guard take place at the District Level vacancy and total no. of post 11122 and for enrollment as a Home Guard, whereby and whereunder the Senior District Commandant, (B.H.G.), Saharsa, issued a list of Finally Selected candidate Block wise, regarding the aforesaid Advertisement No. 02/2011, in which particular in Satar Kataiya Block, Dist- Saharsa all together 26 candidate finally got selected illegally, therefore the petitioners praying for set aside final list dated 30.04.2021 because petitioners are the bona- fide candidate have not finally selected by the Respondents and through the Back door entry, a list of finally selected candidate have been issued.

ii. For further prayed for stay the impugned Letter No. 715 dated 30.04.2022 vide Annexure-4 during the pendency of the writ petition.

iii. For further prayed for direction upon the respondents to immediately select and appoint these petitioners for the post of Home Guard in view of Advertisement No. 02/2011 because all the petitioners they were applied for enrollment in Home Guard and there name have already appeared in the First Merit List issued by the Senior



District Commandant, Bihar Home Guard, Saharsa, through Letter No. 714, dated 30.04.2022, but subsequently the list of finally selected candidate Block wise issued by the Respondents in which the name of the petitioners have not selected in the Final Merit list and after committed serious illegality during the selection process the name of the bona-fide candidate have been deleted with mala fide intention in the final merit list. And against the term and condition of Advertisement No. 02/2011 unqualified candidate have been selected.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the respondent-authorities for redressal of their aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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