

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5617 of 2024

1. Pawan Kumar Son of- Umesh Prasad Yadav @ Umesh Yadav Resident of Village- Navatolia, P.O.- Kaluchak, P.S.- Kharik, District- Bhagalpur.
2. Roma Kumari, Wife of- Rajendra Kumar Choudhary, Resident of- Ward No. 16, Kathaila, Kharik, District- Bhagalpur, Pin Code- 853202.
3. Sakal Deo Kumar, Son of- Vindeshwar Thakur, Resident of Village- Kaluchak, Post and P.S- Kharik, District- Bhagalpur, Pin Code- 853202.
4. Puja Kumari, Wife of- Murari Choudhary, Resident of Village- Ward No. 1, Auliyabad, Post- Jhandapur, Bihpur, District- Bhagalpur, Pin Code- 853201.
5. Raman Kumar, Son of- Anirudh Yadav, Resident of Village- Kaluchak, Post- Kaluchak, Kharika, District- Bhagalpur, Pin Code- 853202.
6. Manohar Kumar, Son of- Bahadur Ray, Resident of Village- Dhruv Ganj, P.S. and P.O.-, Kharik Bazar, District- Bhagalpur, Pin Code- 853202.
7. Mukesh Kumar, Son of- Bharat Mandal, Resident of Village and P.O.- Farka, P.S- Sabour, District- Bhagalpur, Pin Code- 813210.
8. Subodh Kumar Yadav, Son of- Sri Prasad Yadav, Resident of Village Farka, Post- Farka, P.S.- Sabour, District- Bhagalpur, Pin Code- 813210.
9. Binod Kumar Sharma, Son of- Ramdev Prasad Sharma, Resident of Village- Bora, P.S.- Bora, District- Bhagalpur, Pin Code- 813204.
10. Vishwajeet Kumar Singh, Son of Hemant Prasad Singh, Resident of Village- Bhawapura, Post- Bhawapura, P.S.- Kharik, District- Bhagalpur, Pin Code- 853202.
11. Krishna Kumar, Son of- Rambilash Yadav, Resident of Village Sahori, Marwa, P.S.- Bihpur, District- Bhagalpur, Pin Code- 853201.
12. Chandra Shekhar Yadav, Son of- Hardev Yadav, Resident of Village Dadpur, Lokmanpur, P.S- Kharik, District- Bhagalpur, Pin Code- 853202.
13. Pritam Kumar, Son of- Bambam Roy, Resident of Village Ward No. 9, Makandpur, Ranuchak Makandpur, District- Bhagalpur, Pin Code- 812004.
14. Rajesh Kumar, Son of- Umesh Yadav, Resident of Village Dhoria, Post- Lokmanpur P.S.- Kharika, District- Bhagalpur, Pin Code- 853202.
15. Ravindra Kumar Thakur @ Ravindra Kr Thakur, Son of Bindeshwari Thakur, Resident of Village- Nawada, Post- Makhatakiya, P.S.- Naugachhia, District- Bhagalpur, Pin Code- 853204.
16. Mohan Kumar, Son of- Rajendra Prasad Thakur, Resident of Village- Ward No. 3, Khirpur, Kadwa, Post- Khirpur Kadwa Naugachhia, District- Bhagalpur, Pin Code- 853204.
17. Shankar Kumar, Son of- Mahendra Mandal, Resident of Village- Laxminia Kadwa, Khairpur Kadwa, Post- Kharipur Kadwa, P.S.- Naugachhia, District- Bhagalpur, Pin Code- 853204.
18. Sikandar Kumar, Son of- Siyaram Singh, Resident of Village Ward No. 13, and Post- Pakra, P.S.- Naugachhia, District- Bhagalpur, Pin Code- 853204.
19. Satish Kumar, Son of- Mahesh Mandal, Resident of Village Ward No. 10,



- Nawada, Post- Makhatakia, P.S.- Naugachhia, District- Bhagalpur, Pin Code- 853204.
20. Mithilesh Kumar, Son of- Kailash Yadav, Resident of Village Ward No. 10, Nawada, Post- Makhatakia, P.S.- Naugachhia, District- Bhagalpur, Pin Code- 853204.
 21. Piyush Kumar Jha, Son of- Naval Kishor Jha, Resident of Village and P.O- Telghi, P.S.- Kharika, District- Bhagalpur, Pin Code- 853202.
 22. Govindacharya, Son of Maheshwar Sah, Resident of Village- Chaouhaddi, P.O- Narayanpur, P.S.- Bihpur (Bhawanipur), District- Bhagalpur, Pin Code- 853203.
 23. Devendra Kumar Sharma, Son of- Pradeep Sharma, Resident of Village- Sahora, P.O.- Madrauni, P.S.- Gopalpur (Rangra O.P.), District- Bhagalpur, Pin Code- 853204.
 24. Md. Raju, Son of Md. Shamshul, Resident of Village and P.O.- Ward No. 17, Sadhua, P.S- Gopalpur (Rangra O.P.), District- Bhagalpur, Pin Code- 853204.
 25. Md. Abid Hussain, Son of- Md. Jalil, Resident of Village and P.O.- Sadhua, P.S.- Gopalpur, (Rangara O.P.), District- Bhagalpur, Pin Code- 853204.
 26. Chhotelal Mandal, Son of- Rajkumar Mandal, Resident of Village and P.O.- Sadhua, P.S.- Gopalpur, (Rangara O.P.), District- Bhagalpur, Pin Code- 853204.
 27. Chiranjit Kumar, Son of- Nirbhay Kumar Singh, Resident of Village and P.O- Nagar Para, Narayanpur, P.S.- Bihpur, District- Bhagalpur, Pin Code- 853203.
 28. Md. Ansar Ali, Son of- Md. Salim Ali, Resident of Village- Ward No. 2, Madhurapur, Narayanpur, P.S. Bihpur (Bhawanipur), District- Bhagalpur, Pin Code- 853203.
 29. Shyam Sundar Sharma, Son of- Mahendra Sharma, Resident of Village- Kushaha, Post- Raipur, P.S.- Bihpur (Bhawanipur), District- Bhagalpur, Pin Code- 853203.
 30. Mantu Kumar @ Mantu Kumar Yadav, Son of- Naresh Yadav, Resident of Village- Birbanna, Post- Chakrami, P.S.- Bihpur, District- Bhagalpur, Pin Code- 853203.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Principal Secretary, Home Department, Government of Bihar, Patna.
4. The District Magistrate-cum-Chairman, District Selection Committee, Bhagalpur, District- Bhagalpur.
5. The Superintendent of Police, Bhagalpur, District- Bhagalpur.
6. The Superintendent of Police, Naugachia, District- Bhagalpur.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav, Advocate
For the Respondent/s : Mr.Government Advocate (9)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) To issue a writ of certiorari, setting aside the order dated 29/11/2023, passed by the District Magistrate- cum District Officer, Bhagalpur, by which the Respondent District Magistrate-cum-District Officer, Bhagalpur, have rejected the claim/representation of petitioners filed in pursuance to order dated 02/05/2023 passed by this Hon'ble Court in C.W.J.C. No. 1098 of 2023 (Monohar Kumar Jha and others Vs. The State of Bihar and Others) for his appointment on the post of Home Guard by way of publishing the second list to fill-up the vacant posts of Home Guards in the District- Bhagalpur (Police District Bhagalpur and Naugachia) due to removal of the finally selected candidates whose certificates were found to be forged, fabricated and a result of this revelation, some of the candidates who had found place in the final merit list (block wise) were not selected finally. This has ultimately resulted in leaving about 200 vacancies unfilled.

(ii) To issue a writ of mandamus, commanding and directing the Respondent authority concern, to



appoint the petitioners on the post of Home Guard against advertisement No. 02/2011, as several posts of Home Guards are still vacant in the District- Bhagalpur, due to removal of the finally selected candidates whose certificates were found to be forge, like-wise the District of Siwan and Jamui, where the similarly situated persons whose names were kept in waiting list, have been appointed on the post of Home Guards by way of publishing the second list, but the case of the petitioners are being discriminated.”

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 avail such other alternative remedies as are otherwise available under the law, for redressal of their aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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