

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11474 of 2024

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Sonu Kumar Son of Deo Kumar Singh, Resident of Village- Dariyapur, P.S. - Karpi, District - Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Home (Police) Department, Bihar, Patna.
4. The District Magistrate, Arwal, District- Arwal.
5. The District Employment Officer, Arwal, District- Arwal.
6. The Superintendent of Police Arwal, District- Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha, Adv.
For the State	:	Mrs. Anuradha Singh, SC-21, Mr. Shatabdi Sinha, AC to SC-21, Mr. Rakesh Prabhat, AC to SC-21

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 05-08-2024 The petitioner belongs to a member of Backward Class. He has challenged Advertisement No. 01 of 2024, dated 25th June, 2024, by virtue of which the State Government wanted to fill up the vacancies in the posts of Chowkidar.

2. It is contended by the learned Advocate on behalf of the petitioner referring to Annexure-P/3, Advertisement Notice, that in the said Advertisement/Vacancy Notification, no post of Backward Class and Backward Class women were reserved. Though, as per the reservation policy, 12% of the vacant posts ought to be filled up by the Backward Class



candidates and 3% of the such vacant posts ought to be filled up by the women candidates belonging to Backward Class.

3. Learned Advocate on behalf of the state respondents submits that the number of vacancy and the reservation policy was maintained in the vacancy notification. The posts for reserved candidates were clearly stated in the impugned notification. However, the concerned authority found that the posts, as per the reservation roster, in the category of Backward Class and Backward Class women were already filled up and there is no vacancy at present. Therefore, no vacant post has been stated in the said Advertisement bearing Advertisement No. 01 of 2024.

4. Having heard the learned Advocate on behalf of the petitioner as well as the respondents and on perusal of the Advertisement as well as the reservation policy (Annexure-3 and Annexure-4), the instant writ petition is disposed of directing the respondents to re-access the vacant post as per reservation policy.

5. If the quota of Backward Class and Backward Class women are already filled up, the Advertisement in question is treated to be valid and applicable. However, if any vacancy accrues in the aforesaid quota, the same would be included. A



corrigendum to the Advertisement No. 01 of 2024 and selection process shall be conducted on the basis of such corrigendum.

6. The entire exercise shall be done by the competent authority within seven days from the date of communication of this order.

7. The learned counsels for the parties are at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J)

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