

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12825 of 2024

1. Mukesh Kumar Son of Tarni Yadav, Resident of Village and P.O.- Bhatrandha, Ward No. 05, P.S.- Ghailadh, District- Madhepura, Bihar- 852124.
2. Sanjay Kumar, Son of Triveni Prasad Yadav, Resident of Village- Bishnupur, P.O.- Parwa Navtol, P.S.- Murli Gang, District- Madhepura, Bihar- 852122.
3. Rajesh Kumar, Son of Jay Prakash Yadav, Resident of Village- Ratanpura, P.O.- Ratanpura, P.S.- Ghailadh, District- Madhepura, Bihar-852128.
4. Pappu Kumar, Son of Vindeshwari Prasad Yadav, Resident of Village- Kumarkhand, P.O.- Kumarkhand, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
5. Shiv Kumar Yadav, Son of Shatrughan Yadav, Resident of Village-Gandhi Nagar, Bharrahi, P.O.- Bharrahi, P.S.- Madhepura, District- Madhepura, Bihar- 852113.
6. Gonar Kumar, Son of Satyanarayan Yadav, Resident of Village-Israin Kala, P.O.- Israin Kala, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
7. Pappu Kumar, Son of Sikandar Yadav, Resident of Village-Maura Ram Nagar, Ward No. 5, P.O.- Maura Ram Nagar, P.S.- Shankarpur, District- Madhepura, Bihar- 852128
8. Balajee Kumar, Son of Ramdeo Prasad, Resident of Village-Laxminiya, Ward No.2, P.O.- Ghailadh, P.S.- Ghailadh, District- Madhepura, Bihar- 852124
9. Anil Kumar, Son of Late Tapeshwari Yadav, Resident of Village-Vishanpur, P.O.- Bhatarandha, P.S.-Ghailadh, District- Madhepura, Bihar- 852124
10. Mithilesh Kumar, Son of Salendra Yadav, Resident of Village-and P.O. - Bhatarandha, P.S.-Ghailadh, District- Madhepura, Bihar- 852124
11. Vikas Kumar Singh, Son of Vinod Kumar Singh, Resident of Village-Navtol, P.O.- Parwa Navtol, P.S.- Murliganj, District- Madhepura, Bihar- 852122
12. Jawahar Kumar, Son of Satyanarayan Yadav, Resident of Village-Bishunpur, P.O.- Parwa (Navtol), P.S.- Murliganj, District- Madhepura, Bihar- 852122
13. Sanoj Kumar, Son of Rajeshwari Prasad Yadav, Resident of Village-Khadi D Tola, P.O.- Parmanandpur, P.S.- Murliganj, District- Madhepura, Bihar- 852114
14. Anand Kumar, Son of Rajendra Prasad, Resident of Village-and P.O.- Ranipatti, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
15. Sanjay Kumar, Son of Chandeshwari Yadav, Resident of Village-Mahua, Ward No. 4, P.O.- Ghailadh, P.S.- Ghailadh, District- Madhepura, Bihar- 852124.
16. Naveen Kumar, Son of Satyanarayan Yadav, Resident of Village-Mathahi, P.O.- Mahtahi, P.S.- Madhepura, District- Madhepura, Bihar- 852121.
17. Bittu Kumar, Son of Bisheshwar Prasad Yadav, Resident of Village-Jirwa, P.O.- Jirwa, P.S.- Shankarpur, District- Madhepura, Bihar- 852128.
18. Bipin Kumar Yadav @ Bipin Kumar Son of Chandeshwari Yadav, Resident



- of Village-Ramganj, Ward No. 05, P.O.- Ramganj, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
19. Bablu Kumar, Son of Late Tarni Yadav, Resident of Village - Patori, P.O.- Patori, P.S.- Singheshwar, District- Madhepura, Bihar-852128.
 20. Ravindra Kumar, Son of Arvind Kumar, Resident of Village and P.O.- Bishunpur, Korlahi, P.S.- Kumarkhand (Beladi), District- Madhepura, Bihar- 852122.
 21. Amrendra Kumar, Son of Suresh Poddar, Resident of Village -Gauripur, ward No. 08, Singheshwar, P.O. and P.S.- Singheshwar,, District- Madhepura, Bihar-852128.
 22. Pradeep Kumar, Son of Mahendra Prasad Yadav, Resident of Village- Rampatti, Ward No. 06, P.O. and P.S- Singheshwar,, District- Madhepura, Bihar-852128.
 23. Birendra Kumar, Son of Bankelal Yadav, Resident of Village and P.O.- Bhaduapatti, P.S.- Kumarkhand, District- Madhepura, Bihar-852124.
 24. Subhash Kumar, Son of Khushilal Yadav, Resident of Village and P.O.- Bhaduapatti, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
 25. Arvind Kumar, Son f Late Bouku Yadav, Resident of Village- Sukhasan, ward No. 03, P.O.- Sukhasan, P.S.- Singheshwar, District- Madhepura, Bihar- 852118.
 26. Mukesh Kumar, Son of Vishundev Yadav, Resident of Village - Chharrapatti, Ward No. 10, P.O.- Kumarkhand, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
 27. Pintu Kumar, Son of Sonelal Yadav, Resident of Village- Mohanpur, Ward No. 06, P.O.- Goth- Baradaha, P.S- Ghailadh, District- Madhepura, Bihar- 852202.
 28. Pintu Kumar, Son of Late Bhupendra Prasad Yadav, Resident of Village - Simraha, P.O.- Simraha, P.S- Madhepura, District- Madhepura, Bihar- 852121.
 29. Naresh Kumar, Son of Dineshwar Prasad Yadav, Resident of Village- Inarwa, P.O.- Ghailarh, P.S.- Ghailadh, District- Madhepura, Bihar- 852124.
 30. Jayant Kumar, Son of Gajendra Yadav, Resident of Village and P.O.- Bishunpur Korlahi, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
 31. Uday Kumar, Son of Balkrishna Yadav, Resident of Village- Khadi, P.O.- Parmanandpur, P.S.- Murliganj, District- Madhepura, Bihar- 852114.
 32. Girendra Kumar, Son of Late Yogendra Prasad Yadav, Resident of Village- Ramsingh Tola, P.O.- Jitapur, P.S.- Murliganj, District- Madhepura, Bihar- 852114.
 33. Krishan Chandra, Son of Kusheshwar Yadav, Resident of Village- Ramsingh Tola, P.O.- Jitapur, P.S.- Murliganj, District- Madhepura, Bihar- 852114.
 34. Tuntun Kumar, Son of Jagdish Prasad Yadav, Resident of Village and P.O.- Tamaut Parsa, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
 35. Pinku Kumar, Son of Chandeshwari Prasad Yadav, Resident of Village- Lalapatti, Ward No. 9, P.O.- Gahumani, P.S.- Singheshwar, District- Madhepura, Bihar- 852128.



36. Ganoj Kumar, Son of Suresh Prasad Yaadav, Resident of Village- Shivanagar, Jamuaha, P.O.- Bishunpur Kodlahi, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
37. Gajendra Thakur, Son of Kari Thakur, Resident of Village- Itahari, P.O.- Ratanpura, P.S.- Ghailadh, District- Madhepura, Bihar- 852128.
38. Rajeev Kumar Sauren, Son of Nagendra Sauren, Resident of Village and P.O.- Jorgama, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
39. Sambodhan Kumar, Son of Motilal Yadav, Resident of Village - Khari, P.O.- Parmanandpur, P.S.- Murliganj, District- Madhepura, Bihar- 852114.
40. Bijendra Kumar, Son of Giro Mandal, Resident of Village-Chatnama, P.O. and P.S.- Puraini, District- Madhepura, Bihar- 852116.
41. Sanjay Kumar Singh, Son of Kamleshwari Singh, Resident of Village-and P.O.- Puraini, P.S.- Puraini, District- Madhepura, Bihar- 852116.
42. Naresh Kumar, Son of Madan Yadav, Resident of Village and P.O.- Jorgama, P.S. Murliganj, District- Madhepura, Bihar- 852122.
43. Kundan Kumar, Son of Dinesh Sah, Resident of Village -Dubiyahi, P.O.- Mathahi, P.S. and District- Madhepura, Bihar- 852121.
44. Dilip Kumar, Son of Surya Narayan Yadav, Resident of Village and P.O.- Ratanpur, Ward No. 6, P.S.- Ghailadh, District- Madhepura, Bihar- 852128.
45. Sanjay Kumar Yadav, Son of Subodh Prasad Yadav, Resident of Village - Gadhiya, Ward No. 08, P.O.- Simraha, P.S and District- Madhepura, Bihar- 852121.
46. Manoj Kumar, Son of Madan Prasad Yadav, Resident of Village - Kuranma Sukhasan, Ward No. 1, P.O.- Sukhasan, P.S- Kumarkhand, District- Madhepura, Bihar- 852112.
47. Manoj Kumar, Son of Narayan Thakur, Resident of Village and P.O.- Dhorgaon, P.S.- Madhepura, District- Madhepura, Bihar- 852114.
48. Ramchandra Ranjan, Son of Rajendra Prasad, Resident of Village - Sighpur, Ward No. 6, P.O.- Kumarkhand, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
49. Roushan Kumar, Son of Sushil Kumar Yadav, Resident of Village - Maujma, P.O.- Jirwa, P.S.- Shankarpur, District- Madhepura, Bihar- 852128.
50. Sunil Kumar, Son of Surendra Prasad Yadav, Resident of Village and P.O.- Shankarpur, P.S.- Shankarpur, District- Madhepura, Bihar- 852128.
51. Sakichan Kumar, Son of Kailash Prasad Singh, Resident of Village and P.O.- Laualagaon, P.S.- Chausa, District- Madhepura, Bihar- 852213.
52. Uttam Kumar, Son of Lakshmi Singh, Resident of Village - Garaiya Tola, P.O.- Bhatgama, P.S.- Chausa, District- Madhepura, Bihar- 853204
53. Ranjit Kumar, Son of Ashok Singh, Resident of Village - Ganaul, P.O.- Kujaudi, P.S.- Alamnagar, District- Madhepura, Bihar- 852219.
54. Amrit Singh, Son of Doman Prasad Singh, Resident of Village - Khapur, P.O.- Kishanpur Ratwara, P.S.- Kishanpur Ratwara, District- Madhepura, Bihar- 852219.
55. Prakash Kumar, Son of Shrikant Paswan, Resident of Village - Bhagipur,



- P.O.- Bhagipur, P.S.- Alamnagar, District- Madhepura, Bihar- 852219.
56. Rajesh Kumar Raushan, Son of Satyanarayan Sharma, Resident of Village - Khapur, Kishanpoor, Ratwara, P.O. and P.S.- Kishanpur Ratwara, District- Madhepura, Bihar- 852219.
 57. Raj Kumar, Son of Late Sahdev Sah, Resident of Village and P.O.- Simraha, P.S.- Madhepura, District- Madhepura, Bihar- 852121.
 58. Kumod Kumar Bharti, Son of Krit Narayan Yadav, Resident of Village - Gadhiya, P.O.- Simraha, P.S.- Madhepura, District- Madhepura, Bihar- 852121.
 59. Santosh Kumar, Son of Deep Narayan Yadav, Resident of Village - Ranipatti, P.O.- Ranipatti, ward No.11, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
 60. Rajeev Kumar, Son of Jagdish Yadav, Resident of Village - and P.O. Gadhiya Simraha, P.S.- Madhepura, District- Madhepura, Bihar- 852121.
 61. Mukesh Kumar, Son of Surendra Yadav, Resident of Village - Ketavan, P.O.- Kataiya, P.S.- Singheshwar, District- Madhepura, Bihar- 852128.
 62. Umesh Kumar, Son of Bhubneshwari Sah, Resident of Village - Belokhari, P.O- Srinagar, P.S.- Ghailadh, District- Madhepura, Bihar- 852124.
 63. Suresh Kumar, Son of Hariballav Yadav, Resident of Village - Kamalpur, P.O.- Chinti, P.S.- Ghailadh, District- Madhepura, Bihar- 852124.
 64. Bhushan Kumar, Son of Kamlesh Yadav, Resident of Village - Sakhua, P.O.- Simraha, P.S.- Madhepura, District- Madhepura, Bihar- 852121.
 65. Suman Kumar Son of Hariballav Yadav, Resident of Village - Mahua, Ward No. 04, P.O.- Ghailarh, P.S.- Ghailadh, District- Madhepura, Bihar- 852124.
 66. Yogendra Yadav, Son of Munga Lal Yadav, Resident of Village and P.O.- Chitti, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 67. Bijendra Kumar, Son of Narayan Prasad Yadav, Resident of Village - Chitti, P.O.- Chitti, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 68. Dyanand Kumar, Son of Sukhdev Prasad Yadav, Resident of Village - Chiknautwa, Ward No. 10, P.O.- Chitti, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 69. Ajit Kumar, Son of Sharandeo Yadav, Resident of Village - Bhatrandha, P.O.- Bhatrandha, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 70. Hriday Kumar, Son of Yugal Prasad Yadav, Resident of Village - Baluaha, P.O.- Bhatrandha, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 71. Rakesh Kumar, Son of Jagdeesh Mahto, Resident of Village - Ghailarh, P.O.- Ghailarh, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 72. Ajay Kumar, Son of Udanand Yadav, Resident of Village - Ghopa, Ward No. 11, P.O.- Bhatrandha, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 73. Kishore Kumar, Son of Rajendra Prasad Yadav, Resident of Village - Buddhnagar, ward No. 03, P.O.- Ghailarh, P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
 74. Mukesh Kumar, Son of Sikendra Yadav, Resident of Village - Rariyaha, ward No. 09, P.O. and P.S.- Ghailarh, District- Madhepura, Bihar- 852124.



75. Bechan Kumar, Son of Rajendra Yadav, Resident of Village - Inarwa, ward No. 07, P.O. and P.S.- Ghailarh, District- Madhepura, Bihar- 852124.
76. Dilip Kumar, Son of Munar Yadav, Resident of Village - Kohwara, P.O.- Rampatti, Ward No. 09, P.S.- Kumarkhand, District- Madhepura, Bihar- 852114.
77. Pravesh Kumar, Son of Sadanand Yadav, Resident of Village and P.O.- Sonvarsha, Ward No. 07, P.S.- Shankarapur, District- Madhepura, Bihar- 852128.
78. Ashish Kumar, Son of Girednra Prasad Yadav, Resident of Village and P.O.- Dighi, Ward No. 1, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
79. Abhinav Kumar, Son of Kiro Prasad Yadav, Resident of Village - Barahi, Ward No.08, P.O.- Barahi, P.S. and District- Madhepura, Bihar- 852128.
80. Ghanshyam Kumar, Son of Uttamlal Yadav, Resident of Village - Barahi, Ward No. 08, P.O.- Barahi (Hasanpur), P.S. and District- Madhepura, Bihar- 852128.
81. Suman Kumar, Son of Vedprakash Yadav, Resident of Village and P.O.- Tuniyahi, P.S. and District- Madhepura, Bihar- 852113.
82. Gaurav Kumar Paswan, Son of Arundev Paswan, Resident of Village and P.O.- Digghi, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
83. Gulab Chandra Mandal, Son of Sato Mandal, Resident of Village - Bhan, Ward No. 08, P.S.- District- Madhepura, Bihar- 852121.
84. Nandan Kumar, Son of Late Bindeshwari Yadav, Resident of Village - Lalpur, Ward No. 03, P.O.- Lalpur, P.S.- Singheshwar, District- Madhepura, Bihar- 852128.
85. Suman Kumar Saurav, Son of Gudar Prasad Singh, Resident of Village - Lauwalagan, Ward No. 11, P.O.- Lauwalagan, P.S.- Chausa, District- Madhepura, Bihar- 852213.
86. Balkishor Kumar, Son of Late Lakshmi Prasad Yadav, Resident of Village and P.O.- Bhelahi, Ratanpatti, Ward No.11, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
87. Rajesh Kumar, Son of Keshav Prasad Sah, Resident of Village - Jivachhpur, P.O.- Bharrah Bazar, P.S. and District- Madhepura, Bihar- 852113.
88. Santosh Kumar, Son of Risal Datt Yadav, Resident of Village and P.O.- Sahugarh Tola, Sihpur, P.S. and District- Madhepura, Bihar- 852113.
89. Ravi Raj, Son of Birendra Yadav, Resident of Village - Dudhaila, P.O.- Barahi, P.S. and District- Madhepura, Bihar- 852128.
90. Jiriya Devi, Wife of Hira Paswan, Resident of Village and P.O.- Dhurgaon, Ward No.13, Tola- Manirahi, P.S. and District- Madhepura, Bihar- 852113.
91. Amardip Kumar, Son of Arjun Yadav, Resident of Village - Khari, Ward No. 12, P.O.- Parmnandpur, P.S.- Murliganj, District- Madhepura, Bihar- 852114.
92. Raj Kumar, Son of Sahdev Prasad Yadav, Resident of Village - Dumariya, P.O.- Kolhaypatti, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
93. Santosh Kumar, Son of Hialal Prasad Yadav, Resident of Village and P.O.- Ratanpur, P.S.- Ghailarh, District- Madhepura, Bihar- 852128.



94. Chandan Kumar, Son of Chhathilal Prasad Yadav, Resident of Village - Rajpur, P.O.- Manikpur, P.S.- Madhepura, District- Madhepura, Bihar- 852113.
95. Bablu Kumar, Son of Nageshwar Sah, Resident of Village - Guria, P.O.- Jaduapatti, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
96. Dilip Kumar, Son of Sudist Yadav, Resident of Village - Lalapatti, P.O.- Gohumani, P.S.- Singheshwar, District- Madhepura, Bihar- 852128.
97. Balram Kumar, Son of Pradip Yadav, Resident of Village - Jamuwaha, Ward No. 05, P.O.- Jamuwaha, P.S.- Kumarkhand, District- Madhepura, Bihar- 852112.
98. Sunil Kumar, Sonof Jagdish Prasad Yadav, Resident of Village and P.O.- Sukhasan Chakla, P.S. and District- Madhepura, Bihar- 852113.
99. Vinay Kumar Nirala, Son of Surendra Yadav, Resident of Village Berba, P.O.- Mathahi, P.S. and District- Madhepura, Bihar- 852121.
100. Anil Ram, Son of Kapil Dev Ram, Resident of Village - Manikpur, P.O.- Manikpur, P.S. and District- Madhepura, Bihar- 852113.
101. Himanshu Singh, Son of Rishi Prasad Singh, Resident of Village - Khapur, Ward No. 10, P.O.- Kishanpur Ratwara, District- Madhepura, Bihar- 852210.
102. Anil Kumar, Son of Ramchandra Prasad Yadav, Resident of Village and P.O.- Mathahi, Ward No. 06, P.S. and District- Madhepura, Bihar- 852123.
103. Kanchan Kumari, D/o Bechan Paswan, Resident of Village and P.O.- Balam, P.S. and District- Madhepura, Bihar- 852121.
104. Prabhash Kumar Singh, Son of Hansmani Singh, Resident of Village and P.O.- Dighi, Ward No. 06, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
105. Pramod Kumar, Son of Chichay Prasad Yadav, Resident of Village and P.O.- Bhaluawaha Bathan Parsa, P.S.- Shankarpur, District- Madhepura, Bihar- 852128.
106. Bijay Kumar, Son of Raghubir Paswan, Resident of Village - Dudhaila, ward No. 09, P.O.- Barahi, P.S.- Madhepura, District- Madhepura, Bihar- 852128.
107. Kailash Paswan, Son of Nevalal Paswan, Resident of Village - Dudhaila, Ward No. 09, P.O.- Barahi, P.S. and District- Madhepura, Bihar- 852128.
108. Malak Deo Paswan, Son of Mahendra Paswan, Resident of Village - Dudhaila, Ward No. 09, P.O.- Barahi, P.S. and District- Madhepura, Bihar- 852128.
109. Suchen Kumar, Son of Ramdev Paswan, Resident of Village - Dudhaila, Ward No. 09, P.O.- Barahi, P.S. and District- Madhepura, Bihar- 852128.
110. Balram Kumar, Son of Nathan Prasad Yadav, Resident of Village -Haripur Tinkonma, Ward No. 12, P.O.- Haripur Kala, P.S.- Murligang, District- Madhepura, Bihar- 852122.
111. Nutan Kumar, Son of Sitaram Yadav, Resident of Village - Pakilpar, P.O.- Sahuriya, P.S.- Murliganj, District- Madhepura, Bihar- 852122.
112. Lalan Kumar, Son of Tarni Sah, Resident of Village - Morkahi, Ward No. 11, P.O.- Haripurkala, P.S.- Murliganj, District- Madhepura, Bihar- 852122.



- 113 Umesh Kumar, Son of Radhe Prasad Yadav, Resident of Village - Shankarpur, Ward No. 12, P.O.- Shankarpur, P.S.- Shankarpur, District- Madhepura, Bihar- 852128.
- 114 Guddu Kumar, Son of Prabhakar Sharma, Resident of Village - Muraut, Ward No. 15, P.O.- Muraut, P.S.- Ki. Ratwara, District- Madhepura, Bihar- 852210.
- 115 Gulshan Kumar, Son of Upendra Prasad Yadav, Resident of Village - Bari, Ward No. 03, P.O.- Maura Kishanpur, P.S.- Shankarpur, District- Madhepura, Bihar- 852128.
- 116 Pappu Kumar, Son of Upendra Singh, Resident of Village - Khapur, Ward No. 10, P.O.- Ratwara, P.S.- Ki. Ratwara, District- Madhepura, Bihar- 852210.
- 117 Ranjit Kumar Singh, Son of Banarsi Prasad Singh, Resident of Village - Khapur, Ward No. 10, P.O.- Ratwara, P.S.- Ki. Ratwara, District- Madhepura, Bihar- 852210.
- 118 Jay Narayan Kumar, Son of Late Natho Ram, Resident of Village and P.O.- Paschimi Phulaut, Ward No. 04, P.S.- Phulaut, District- Madhepura, Bihar- 852210.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
- 2. The Additional Chief Secretary-cum-Principal Secretary, Home Department, Government of Bihar, Patna.
- 3. The Director General of Police, Bihar, Patna.
- 4. The Director General- cum-Commandant General, Home Guard and Fire Services, Patna.
- 5. The District Magistrate, Madhepura.
- 6. The District Selection Committee, through the Chairman- cum-District Magistrate, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate
For the Respondent/s : Mr. Standing Counsel (4)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 21-11-2024 Heard. Mr. Kumar Kaushik, learned counsel

 appearing on behalf of the petitioners and learned Standing

 Counsel, appearing on behalf of the State.



2. Learned counsel appearing on behalf of the State, at the outset, submitted that the writ petition is not maintainable on the ground of delay and laches and also for the reason that the petitioners can also be held to be indolent and wisely remained as a fence sitter waiting for the result of the Letters Patent Appeal No. 645 of 2021.

3. Learned counsel appearing on behalf of the petitioners seeks similar relief as has been granted to the petitioner of CWJC No. 11645 of 2019 in which co-ordinate Bench of this Court vide order dated 05.02.2021 has passed *inter alia* following order:

"Considering the aforesaid, although the Court finds that the entire selection process undertaken by the respondents is contrary to Advertisement and vitiates the entire selection process but for the reason that only two petitioners have approached this Court, the respondents are directed to consider their case and accommodate them against the vacancy in the district of Muzaffarpur if they find the petitioners otherwise eligible for selection then necessary corrective measure may be taken by the respondents within a period of three months from the date of receipt/production of the copy of this order.

With the aforesaid, the writ petition stands allowed and disposed of."

4. He further informed that the order dated 05.02.2021 passed in CWJC No. 11645 of 2019 was affirmed by a Division Bench of this Court in LPA No. 645 of 2021 and after hearing the parties, the Division Bench has recorded following orders, which has been reproduced hereinafter:



"CWJC No. 9687 of 2022, CWJC No. 10541 of 2022, CWJC No. 11108 of 2022, CWJC No. 17589 of 2022

5. In the light of the order passed in aforementioned LPAs, rejecting the State appeals, these writ petitions are allowed in the light of the order of the learned Single Judge dated 05.02.2021 passed in CWJC No. 11645 of 2019. Whatever the directions ordered by the learned Single Judge is aptly applicable to each of the petitioner in these bunch of petitions. Accordingly, CWJC No. 9687 of 2022, CWJC No. 10541 of 2022, CWJC No. 11108 of 2022, CWJC No. 17589 of 2022 stand allowed in terms of order dated 05.02.2021."

5. Learned counsel further submitted that against the judgment/order dated 20.06.2024 passed in LPA No. 645 of 2021 the State had preferred Special Leave to Appeal (c) No(s). 21079 of 2024 and Special Leave to Appeal (c) No(s). 23768 of 2024. The Apex Court, vide order/judgment dated 30.09.2024, has passed following orders in Special Leave to Appeal (c) No(s). 21079 of 2024, which inter alia is reproduced hereinafter:

"1. We are not inclined to interfere with the impugned judgment and order of the High Court; hence, the special leave petition is dismissed.

2. It is, however, clarified considering the prayer made on behalf of the first petitioner-State of Bihar that relief as granted by the learned Single Judge of the High Court would remain confined to the two writ petitioners before it, i.e., Manjay Kumar and Sunil Kumar Ram.

3. Pending application(s), if any, shall stand disposed of."

6. The Apex Court, vide order/judgment dated 18.10.2024, has passed following orders in Special Leave to Appeal (c) No(s). 23768 of 2024, which inter alia is reproduced hereinafter:

"1. We are not inclined to interfere with the impugned judgment and order of the High Court; hence, the special leave petitions are dismissed.



2. It is, however, clarified considering the prayer made on behalf of the first petitioner-State of Bihar that relief as granted by the Single Bench of the High Court would remain confined to the writ petitioners before it.

3. Pending application(s), if any, shall also stand disposed of."

7. Learned counsel appearing on behalf of the petitioners, at this stage, submitted that the condition imposed by the Apex Court that those order will be confined to the writ petitioners before the Apex Court, therefore, the same would not come in a way of this petitioners to the effect that the present is a belated writ petition. He informs that the that the petitioner's' result was published on 21.10.2023 and the petitioners filed the present writ petition in the year 2024 which shows that the petitioners have been conscious of their rights and cannot be said to be indolent or a fence sitter for which he has given sufficient reason in paragraph no. 24 of the writ petition.

8. Heard the parties.

9. To answer, as to whether, the present writ petition is maintainable or not, I proceed to verify from the records and the pleadings made in the writ petition, as well as, the above orders referred by the petitioner claiming equal treatment. The Advertisement No. 02 of 2011 is dated 16.07.2011 and in respect of the petitioner of earlier writ petition, the empanelment



of the candidates in respect of the district concerned either is of year 2019, while the selected candidate panel/list was prepared in case of the petitioner in the year 2023 after much delay. I also find from the records that the block wise merit list was prepared in respect of these petitioners and petitioners have stated in Para 13 of the writ petition that they have been discriminated with those who have been selected in another Block, who have less marks than the cut-off marks and the said empanel was prepared at the Block Level, which is contrary to the decision of this Court in CWJC No. 11645 of 2019, which has been affirmed in LPA No. 645 of 2021. I find that the petitioners cannot be held to be fence sitter as in the District of Madhepura, the action for preparing panel was prepared after much delay i.e. after passing of the order 05.02.2021 in CWJC No. 11645 of 2019 and order/judgment dated 26.06.2024 in LPA No. 645 of 2021. The process is still continuing and the petitioners cannot be held to have approached before this court after delay or they can be held to be fence sitter.

10. Considering the fact that out of the total vacancy notified for the District of Madhepura is 434 for the rural area and 39 for the urban area. The unfilled vacancy which is still remaining in rural area is 128 and in urban area is 24. The



petitioners have claimed to grant them similar relief in light of the judgment passed by this Court in LPA No.645 of 2021, which has been affirmed by the Apex Court in SLP Nos. 21079 of 2024 and 23768 of 2024.

11. Under the above mentioned facts and circumstances, the Director General of Police (Home Guard), Bihar is directed to consider the case of the individual petitioners. The petitioners, if so advised, file their individual comprehensive representation giving all the details in respect of their service particulars and fulfillment of their candidature to be considered in light of the judgment/order dated 05.02.2021 in CWJC No. 11645 of 2019, which has been affirmed by the Division Bench of this Court vide order/judgment dated 26.06.2024 passed in LPA No. 645 of 2021.

12. With aforesaid observations/directions, the present writ petition is disposed of.

(Purnendu Singh, J)

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