

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14492 of 2024

1. Vinod Kumar Suman S/o- Baldeo Prasad, Resident of Village- Ballipur, P.O- Bahrapur, P.S- Dhanrua, District- Patna.
2. Shivdhar Singh, S/o Gaya Singh, Resident of Village- Vijaypura, P.O- Vijaypura, P.S- Dhanrua, District- Patna.
3. Harilal Kumar, S/o- Ramanand Prasad Yadav, Resident of Village- Kaili, P.O.- Nawashichak, P.S.- Dhanrua, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General Cum-Commandant General Home, Guard Govt. of Bihar.
2. The District Selection Committee, Bihar Home Guard through its Chairman District Magistrate Patna.
3. District Magistrate, Patna.
4. Superintendent of Police, Patna.
5. The District Commandant, Bihar Home Guard, Patna.
6. The District Welfare Officer, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.
Mr. Amrendra Kumar, Adv.
For the Respondent/s : Standing Counsel (25)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-09-2024 Heard Learned Counsel for the petitioners and
Learned Counsel for the State.

2. The present writ petition has been filed for following reliefs:-

"(i) For quashing of the order dated 05.07.2024 contained in letter no. 3418 passed by District Magistrate Patna (Respondent No. 03) by



where by the District Magistrate, Patna on the ground that advertisement No. 02/2011 in which respondent selection committee has been stopped 1 minute and 10-15 second to petitioner in running test and after the passing of time petitioners given application and application is not value.

(ii) For directly the respondent selection committee to sevel the petitioner who has been stopped 1 minute and 10-15 second before the fixed time when they were participatory in the running test where is an identical matter the respondent authority have allow the other candidate to continue and complete the running test.

(iii) To pass such other order/orders as your lordship may be deem fit and proper in the fact of the case."

3. Learned Counsel for the petitioners submits that the order contained in Memo no. 3418 dated 05.07.2024 passed by the District Magistrate, Patna (Respondent No. 03) in the light



of the direction made by this Hon'ble Court vide order dated 22.04.2024 passed in CWJC No. 16580 of 2023 is illegal and may not be considered. Counsel further submits that since 11 years passed, the petitioners are still litigating and it may be allowed in their favour.

4. Learned Counsel for the State, on the other hand, submits that it is the third round of litigation and in two earlier rounds i.e. firstly in CWJC No. 10104 of 2022 in which vide order dated 04.04.2023, the writ petition was permitted to be withdrawn and secondly in CWJC No. 16580 of 2023 vide order dated 22.04.2024, this Hon'ble Court has dismissed the writ petition and granted liberty to the petitioners on their request to approach the respondent authority for redressal of the aforesaid grievances.

5. In response thereof, Counsel for the petitioners submits that thereafter they have filed the representation in this matter before the authority and the authority has passed a reasoned order dated 05.07.2024 passed in letter no. 3418 which is impugned in the present writ petition.

6. It transpires to this Court that in the said reasoned and speaking order it has categorically been mentioned by the authority that whosoever be any grievance in the physical test



for which there is an appealate-cum-complaint *koshang* has been formed but the petitioners have not raised any objection before the appellate forum after getting result of the physical test.

7. As such, this Court is fully satisfied with the order passed by the District Magistrate contained in Memo no. 3418 dated 05.07.2024 (Annexure- P/1). This Court is of the firm view that the writ petition has no merit. Accordingly, the writ petition is hereby dismissed.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

