

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.872 of 2025

1. Mina Kumari @ Mina Devi wife of Dinesh Singh, resident of Village Adalpur, P.O.-Dharhara, Dist.-Munger, Bihar.
2. Shushma Kumari, D/o Sakaldev Yadav, resident of Village-Sajua, P.O.-Hathi Chouk, P.S.-Asarganj, District-Munger, Bihar.
3. Indra Kumar Mani, S/o Sumit Prasad Yadav, resident of Prithivi Chak, P.O.-Sohara, P.S.-Tarapur, District-Munger.
4. Vikash Kumar, son of Ghanshyam Yadav, resident of Sarai Post-Kamargama, P.S.-Tarapur, District-Munger.
5. Rinku Kumari, D/o Sahindra Choudhary, resident of Madhura, Post and P.S.-Tarapur, District-Munger.
6. Fantus Kumar, Son of Shivshankar Paswan, resident of Village-Shampur, P.O.-Shampur, P.S.-Hauveli Kharagpur, District-Munger.
7. Suraj Kumar Thakur, Son of Kailash Thakur, resident of Village-Hai, P.O.-Dariyapur, P.S.-Mufashil, District-Munger.
8. Dilip Kumar, son of Fuleshwar Prasad Singh, resident of Village-Aurganga, Post-Tarapur, P.S.-Tarapur, District-Munger.
9. Prem Kumar, son of Shambhunath Kunwar, resident of Village-Dhuriya, P.S.-Makawa, P.S.-Asarganj, District-Munger.
10. Pankaj Kumar Yadav, son of Sumit Prasad Yadav, resident of Village-Prithiv Chawk, Post-Sohura, P.S.-Sangrampur, District-Munger.
11. Dinesh Kumar Yadav, S/o Ghanshyam Yadav, resident of Village-Sarai, Post-Kamangama, P.S.-Sangrampur, District-Munger.
12. Manoranjan Kumar Sharma, son of Ramswarup Sharma, residence of Village-Bari Madheri, P.O.-Rataitha, P.S.-Haweli Kharagpur, Dist.-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Government of Bihar, Main Secretariat Building, Patna.
2. The Home Secretary Govt. of Bihar, Main Building, Patna.
3. The Director General of Police, Home Guard, Main Secretariat, Patna.
4. The District Magistrate cum Chairman, District Selection Committee, Munger, District-Munger.
5. The Commandant Home Guard, Munger, District-Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mandal, Adv.
For the Respondent/s : Mr.Government Pleader (14)

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL



ORAL ORDER

3 21-02-2025 Heard learned counsel for the petitioners as well as learned counsel for the Respondent – State.

2. This petition has been preferred by the petitioners seeking following reliefs:

i. For direction to the respondent authorities to publish the final merit list District wise in respect of selection of home guard under Munger District against advertisement of 02/11 in place of Block wise merit list which has been published in contravention of Bihar Home Guard Act, 1947 read with Rules 1953.

ii. For direction to the respondent authorities to include the names of these petitioners in the final merit list and accordingly, appoint them as Home Guard under Munger District against unfilled post of those candidates who have not better merit list.

iii. For any other relief/ reliefs as your lordships may deem fit and proper

3. It is submitted by the counsel for the petitioners that pursuant to the advertisement no. 02/11 published on 30.07.2011 petitioners have participated in the recruitment process. According to the counsel the recruitment was required to be made district wise however, when the final list was declared it appears that the merit list has been prepared on the



basis of block level which is contrary to the advertisement. He further submits that the petitioners herein are the residents of district Munger, if the final list was declared district wise then all of them would have been selected. He further submits that some of the affected candidates approached this Court in ***C.W.J.C. No. 11645 of 2019 (Manjay Kumar and another vs. The State of Bihar and others)*** and this Court vide its Order dated 05.02.2021 allowed the petition and directed the respondents that they should publish the merit list on the basis of district wise and not the block wise. He further submit that since the Order dated 05.02.2021 (supra) has attained finality therefore, the case of the petitioners is also squarely covered with the direction given by the Co-ordinate Bench of this Court in the said case i.e. CWJC No. 11645 of 2019.

4. Considering the above submissions made by the counsel of the petitioners it would be appropriate to dispose of the petition giving liberty to the petitioners to firstly make their representation before the respondent no. 4, accordingly, the petition is disposed of, petitioners are directed to firstly make their representation before the respondent no. 4 raising all grounds which they raised in this writ petition within four weeks from today and in turn the respondent no. 4 is also directed to



consider and decide the same taking into consideration the observation made by the Coordinate Bench of this Court in the case of CWJC No. 11645 of 2019 (supra) and decide the same as early as possible probably within 60 days from the submission of such applications.

5. With the aforesaid observation, this writ petition is disposed of.

(Arvind Singh Chandel , J)

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