

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2231 of 2025

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1. Subodh Kumar Thakur Son of- Maheshwar Thakur, Resident of- Nawada, P.O.- Makkhatakiya, P.S.- Naugachia, District- Bhagalpur, Pin Code- 853204.
 2. Sumit Kumar, Son of- Doman Mandal, Resident of Village- Rangra, P.O.- Rangra, P.S- Rangra, District- Bhagalpur, Pin Code- 853204.

... .. 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, Adv.
For the Respondent/s	:	Ms.Anuradha Singh, SC-21
		Ms.Nutan Kumari Sharma, AC to SC-21

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 11-02-2025 Heard learned counsel for the petitioners and

learned counsel for the State.

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

(i) For direction to the respondent
authorities to publish the final merit list of the
Home Guard duly prepared and published
interms of advertisement No. 02/2011, which
has been prepared on the basis of block wise
instead of district wise.



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

(iii) To issued a writ of mandamus, commanding and directing due Respondent authority concern to include the names of these petitioners in the final merit list and accordingly appointed them as Home Guard under Bhagalpur District against unfilled post of those candidates who have not better merit than them. keeping in view the respondent District Magistrate, Bhagalpur has recently published a final merit list vide Memo No. 2199 dated 02/12/2024 to be appointed the exactly other similarly situated persons for their appointment on the post of Home Guard (Annexure-P/4).

3. It is submitted by learned counsel for the petitioners that pursuant to the advertisement no. 02 of 2011. The petitioners have participated in the recruitment process. The recruitment was supposed to be done district-wise, however, when the final merit list was prepared, it was based on block level which is counter to the advertisement. Learned counsel for the petitioners submits that the petitioners are of



the district- Bhagalpur. If the final merit list was declared district-wise then all of them would have been selected. He further submits that some of the affected candidates had filed a writ petition being *C.W.J.C. No. 11645 of 2019* and a learned Co-ordinate Bench vide its order dated 05.02.2021 allowed the said petition and directed the respondents that they should publish the merit list on the basis of district-wise and not block-wise, the order dated 05.02.2021 has attained finality. The case of the petitioners here is also squarely covered by the judgment passed by the learned Co-ordinate Bench of this Court.

4. Considering the submission made by learned counsel for both the parties, it would be appropriate to dispose of the petition giving liberty to the petitioners herein to firstly make their representation before respondent no. 4. Accordingly, this petition is disposed of and the petitioners are directed to firstly make their representation before the respondent which they raised in this writ petition, it would be done within four weeks from today in turn respondent no. 4 is also directed to consider and decide the representation of the petitioners in accordance with relevant rules and laws and further taking into consideration the observation made in the



order passed by the learned Co-ordinate Bench of this Court in the *C.W.J.C. No. 11645 of 2019 (Manjay Kumar and another vs. The State of Bihar and others)* and pass a reasoned order as quickly as possible probably within 60 days from the date of receipt of a copy of this order.

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

(Arvind Singh Chandel , J)

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