

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2191 of 2025

1. Shabnam Kumari Daughter of Arvind Pd. Singh, W/o Rajesh Kumar Singh, Resident of village- Dradhi, P.S. Sajour Block Shahkund, District- Bhagalpur.
2. Amarjit Kumar Son of Ajay Kumar Mandal, Resident of village- Fatehpur, P.S. and Block Nathnagar, District- Bhagalpur.
3. Manohar Kumar Son of Jitendra Mandal, Resident of village- Fatehpur, P.S. and Block Nathnagar, District- Bhagalpur.
4. Saljeet Kumar Son of Bhagwan Ji Yadav, Resident of village- Kamarganj, P.S. and Block Sultanganj, District- Bhagalpur.
5. Mithilesh Kumar @ Mithilash Kumar Son of Bhagwan Ji Yadav, Resident of village- Kamarganj, P.S. and Block Sultanganj, District- Bhagalpur.
6. Sanjeev Kumar Ranjan @ Sanjeev Kumar S/o Bhuwneshwar Mandal, Resident of village- Angari, P.S. and Block Jagdishpur, District- Bhagalpur.
7. Rakesh Kumar Son of Ratan Prasad Yadav, Resident of village- Bishanpur Jichho, P.S. Lodipur, Block Goradih, District- Bhagalpur.
8. Chandrahas Kumar Son of Rajendra Das, Resident of village- Saraiya, P.S. and Block Goradih, District- Bhagalpur.
9. Pankaj Kumar Son of Tribhuwan Yadav, Resident of village- Ramjanipur, P.S. Shiv Narayanpur, Block Kahalgaon, District- Bhagalpur.
10. Randhir Kumar Son of Nehru Lal Sharan, Resident of village- Khutaha, P.S. Lodipur, Block Goradih, District- Bhagalpur.
11. Ashish Kumar Son of Awdhesh Yadav, Resident of village- Chhoti Dilouri, P.S. and Block Pirpanti, District- Bhagalpur.
12. Anita Kumari D/o Bijul Prasad, Resident of village- Khutaha, P.S. Lodipur, Block Goradih, District- Bhagalpur.
13. Subodh Kumar Son of Shiv Narayan Yadav, Resident of village- Topra Tola P.S. and Block Pirpanti, District- Bhagalpur.
14. Sanjeev Kumar Sharma Son of Damodar Sharma, Resident of village- Baghuwa, P.S. Olapur Block Pirpanti, District- Bhagalpur.
15. Bablu Yadav Son of Lukho Yadav, Resident of village- Kamarganj, P.S. and Block Sultanganj, District- Bhagalpur.
16. Gulab Kumar Son of Prayag Prasad Yadav, Resident of village- Kamarganj, P.S. and Block Sultanganj, District- Bhagalpur.
17. Shankar Kumar Poddar Son of Siyaram Poddar, Resident of village- Bakharpur P.S. and Block Pirpanti, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Government of Bihar Main Secretariat, Patna.
2. The Home Secretary, Government of Bihar Main Secretariat, Patna.



3. The Director General of Police, Home Guard Main Secretariat, Patna.
4. The District Magistrate, Bhagalpur, District- Bhagalpur.
5. The Commandant Home Guard Bhagalpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Adv.
For the Respondent/s : Mr. D.K. Prasad, GP-14

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-02-2025 Heard the parties.

2. The petitioners before this Court are aspirants for the post of Home Guards in connection with Advertisement No. 2/2011, who are aggrieved with the action of the respondents, whereby the respondent authorities have published a block wise merit list of the candidate(s) instead of district wise. The petitioners also seek a direction upon the respondents to publish the merit list as per district wise in terms of the prescriptions of the advertisement and the law settled by this Court.

3. Learned counsel for the petitioners submitted that the issue raised before this Court has already been set at rest by this Court in **C.W.J.C. No. 11645 of 2019 [Manjay Kumar and Another v. The State of Bihar and Others]**, wherein this Court has directed the respondents to publish provisional and final merit list on the district wise basis and not on block wise. The afore-noted order was put to challenge by the State respondent in L.P.A. No. 645 of 2021, which came to be



dismissed vide order dated 20.06.2024. The matter also travelled up to the Apex Court in SLP No. 24421 of 2024, which also stood dismissed on 18.10.2024. In view of the aforesaid settled legal position, learned counsel for the petitioners thus contended that in some of the places respondent authorities had issued corrected final merit list as per district wise whereas the discrimination has been caused and in the district of Bhagalpur, the corrected final merit list has not been published as yet in district wise.

4. Learned counsel for the State submitted at the Bar that if the law has already stood settled by this Court, the concerned respondent is duty bound to consider the claim of the petitioners.

5. Having considered the submissions advanced on behalf of the respective parties, this Court finds it appropriate to direct the respondent no.4, the District Magistrate, Bhagalpur to consider the claim of the petitioners in terms of the decision rendered in C.W.J.C. No. 11645 of 2019 duly affirmed by the learned Division Bench of this Court and settled up to the Apex Court.

6. For proper appreciation of the matter, the petitioners are at liberty to file a representation along with the



order of this Court.

7. In case, such a representation is filed, preferably within a period of three weeks from today, the respondent no.4, shall consider the claim of the petitioners and take appropriate action in the light of the order passed by this Court in C.W.J.C. No. 11645 of 2019 within a further period of eight weeks.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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