

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2207 of 2025

1. Rajeev Kumar Yadav Son of Anirudh Yadav, Resident of Village- Mahua, P.S. and Block- Barahat, District- Banka.
2. Devendra Kumar Yadav Son of Shaligram Yadav, Resident of Village- Labokhar, P.S. and Block- Barahat, District- Banka.
3. Gurudeo Yadav Son of Naresh Yadav, Resident of Village- Parbatta, P.S. and Block- Barahat, District- Banka.
4. Chhattu Kumar Son of Baleshwar Yadav, Resident of Village- Deghra, P.S. and Block- Barahat, District- Banka.
5. Rekha Kumari Daughter of Jannardhan Yadav, Resident of Village- Mahua, P.S. and Block- Barahat, District- Banka.
6. Arti Kumari Wife of Maheshwari Mandal, Resident of Village- Kaitha, P.S. and Block- Rajoun, District- Banka.
7. Pintu Kumar Son of Late Fuchho Prasad Singh Resident of Village-Kaitha, P.S. and Block- Rajoun, District- Banka.
8. Deepak Kumar Sah Son of Naresh Sah, Resident of Village-Singhnan, P.S. and Block- Rajoun, District- Banka.
9. Sunita Kumari Wife of Ramanuj Kumar, Resident of Village- Dholiya, P.S. and Block- Barahat, District- Banka.

... .. 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, Banka, District- Banka.
5. The Commandant Home Guard, Banka, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Adv.
For the State : Mr.Yogendra Pd. Yadav, AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 11-02-2025

I.A. No. 01/2025

1. This interlocutory application has been filed to
implead the applicant namely Pratima Kumari as petitioner



no. 10.

2. For the reasons assigned in the application the prayer for impleadment is allowed. Let the same be incorporated in the petition in course of the day.

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4. Heard learned counsel for the petitioners and learned counsel for the State.

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

(I) For issuance of appropriate writ/writs, order/orders, direction/directions to respondent to publish the merit list distinct wise instead of block wise and conduct the process of selection as per rule provided in advertisement no 2 of 2011 and also to direct respondents to prepared provisional list as well as merit list on district wise not block wise

(ii) For issuance of direction to the respondent to fulfill all the vacant post under the advertisement no 2 of 2011.

(iii) For issuance of appropriate writ/writs, order/orders, directing the respondents authorities to act as per the order passed in CWJC no 11645/2019 dt. 5/2/2021 and also as per the order passed in LPA no.645/2021 dt. 20/6/2024 and direct the respondents to adjust the petitioners on vacant



post in the light of order passed in CWJC and LPA.

(iv) For issuance of appropriate writ/writs, order/orders, holding that all those merit list prepared on block level are contrary to the rule and as such are liable to cancel.

6. 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- Banka. 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.

7. 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.

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

(Arvind Singh Chandel , J)

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