

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2372 of 2023

1. Santosh Kumar Son of Lakshmikant Prasad, Resident of village- Damodarpur Chakia, Police Station- Pipra, District- East Champaran.
2. Raj Kumar Singh Son of Rajendra Singh, Resident of village- Ameth, Police Station- Mohania, District- Kaimur.
3. Nityanand Prasad Son of Munni Ram, Resident of village- Ameth, Police Station- Mohania, District- Kaimur.
4. Pritam Ranjan @ Pratim Ranjan Son of Mahesh Prasad Verma, Resident of Mohalla- Sitarampur, Police Station- Sultanganj, District- Bhagalpur.
5. Bijendra Kumar Son of Ram Narayan Ram, Resident of village- Nathopur, Police Station- Kudra, District- Kaimur.
6. Pradeep Kumar Son of Radhe Shyam Gupta, Resident of village- Karhari, Police Station- Karaghar, District- Rohtas.
7. Durga Prasad Pal Son of Sheo Gahan Pal, Resident of village- Lalapur, Police Station- Kudra, District- Kaimur.
8. Sunil Kumar Son of Rajendra Prasad Yadav, Resident of village- Tilkamanjhi Hat Jagdishpur Bhagpur, Police Station- Tilkamanjhi, District- Bhagalpur.
9. Jitendra Kumar Son of Ashok Paswan, Resident of Mohalla- Jawaripur Jail Road, Police Station- Tilkamanjhi, District- Bhagalpur.
10. Arun Kumar Tiwari Son of Shalik Ram Tiwari, Resident of village- Kenduni, Police Station- Magadh Medical, District- Gaya.
11. Pramod Kumar Son of Suraj Prasad, Resident of Mohalla- Nawagarhi Near Old Jain Temple, Police Station- Vishnupad, District- Gaya.
12. Mungee Kumar Son of Radhe Dhyam Singh, Resident of village- Parsar, Police Station- Karakat Gorari, District- Rohtas.
13. Sanjay Kumar Karan Son of Rajniti Prasad Yadav, Resident of village- Labhgaon, Police Station- Khagaria, District- Khagaria.
14. Asgar Nadeem Son of Raza Karim, Resident of village- Daniyalpur, Police Station- Tegra, District- Begusarai.
15. Sanjiv Kumar Sinha Son of Devendra Prasad, Resident of village- Kaswa, Police Station- Teghra, District- Begusarai.
16. Niraj Kumar Son of Pankaj Prasad Singh, Resident of village- Ward No. 20, Naukhutti, Madhurapur, Police Station- Teghra, District- Begusarai.
17. Ashok Kumar Pathak Son of Rajkumar Pathak, Resident of village- Asnouliya, Police Station- Pandu, District- Palamu, State- Jharkhand.
18. Narad Kumar Yadav Son of Indradev Yadav, Resident of village- Bhildiha, Police Station- Manatu, District- Palamu, State- Jharkhand.
19. Bir Bhawani Son of Bhagwan Singh, Resident of village- S.P. Kothi Marg, Abadganj, Police Station- Daltonganj, District- Palamu, State- Jharkhand.
20. Mukesh Kumar Son of Ramjee Choudhary, Resident of village- Ramnagar Math, Police Station- Khagaria, District- Khagaria.



21. Manoj Kumar Son of Awedesh Singh, Resident of village- Singhora, Police Station- Bazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General, Headquarter, Patna, Bihar.
5. The Bihar Staff Selection Commission, through its Secretary, Bailey Road, P.O.- Veterinary College Campus, Sheikhpura, Patna- 14.
6. The Chairman, Bihar Staff Selection Commission, Bailey Road, P.O.- Veterinary College Campus, Sheikhpura, Patna- 14.

... .. Respondent/s

WITH

Civil Writ Jurisdiction Case No 2484 of 2023

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1. Gopal Swaroop Son of Shitla Prasad Tiwary Resident of Mohalla- New Area, Post and Police Station- Sasaram, District- Rohtas.
 2. Dayanand Mishra, Son of Late Ramchandra Mishra Resident of Village- Bauraha, Police Station- Laukaha, District- Madhubani.
 3. Sunil Kumar Dubey, Son of Ramkrishna Dubey Resident of Village and Post- Bangra, Police Station- Daudpur, District- Chhapra.
 4. Naresh Kumar, Son of Bishwanath Tiwari Resident of Village- Bhagwanpur Pakari, P.O.- Manikpur Pakari, Police Station- Lalganj, District- Vaishali.
 5. Prabhakar Kumar, S/o Gangadhar Prasad Vill.- Raghunathpur, P.S.- Sahebpur, Dist.- Begusarai.
 6. Rajesh Sharan, Son of Rameshwar Nath Sharan Resident of Village- Nai Bazar, Betia Raj Chhawni Chapra, Police Station- Bhagwan Bajar, District- Chapra (Saran).
 7. Niraj Kumar, Son of Sri Shambhu Narayan Singh Resident of Village- Tandih, Post and Police Station- Chauparan, Distt.- Hazaribagh (Jharkhand).
 8. Navin Kumar Verma, Son of Mahendra Prasad Verma Resident of Village- Kusumyori, Post- Fatehpur, Police Station- Chandan, District- Banka.
 9. Rajeev Kumar, Son of Uday Shankar Prasad Singh Resident of Village and Post- Vaishali, Police Station- Vaishali, District- Vaishali.
 10. Vinay Shankar, S/o Mantu Singh Resident of Vill.- English Chichraun, P.S.- Akbarpur, Dist.- Bhagalpur.
 11. Rohit Goswami, Son of Satya Naryan Goswami Resident of Village- Rangiya Saraiya, Police Station- Bandhuwa Kurawa, District- Banka.



12. Ajit Kumar Thakur, Son of Late Kusheshwar Thakur Resident of Village and P.O.- Bhagwatpur, Police Station- Sarairanjan, District- Samastipur.
13. Mithilesh Thakur, Son of Rajendra Thakur C/o Gopal Sharma, residing at Janta Flat, Block No.- 5, Flat No.- 217, Sector- 06, B.N. Colony, Post- Lohia Nagar, Police Station- Kankarbagh, Distt.- Patna.
14. Sarita Kumari, Daughter of Kartik Pandey Resident of Village- Rampur Dumra, Police Station- Maranchi, Distt.- Patna.
15. Kamlesh Kumar, Son of Rajeshwari Singh Resident of Village- Rampur Dumra, Police Station- Maranchi, District- Patna.
16. Subhash Chandra Bose, Son of Late Ramkrit Paswan Resident of Village- Mehandwar, Post- Pahariya, Police Station- Bhagwanpur, District- Kaimur at Bhabhua.
17. Mukesh Kumar Jha, Son of Pramod Kumar Jha Resident of Village- Dhamoura, Police Station- Sathi, District- West Champaran.
18. Awadhesh Kumar Paswan, Son of Sheo Kumar Paswan Resident of Village- Semra, Post- Balua, Police Station- Brahampur, District- Buxar.
19. Shyam Nandan Yadav, Son of Budhan Yadav Resident of Village- Bherkhiya, Police Station- Pipra, District- East Champaran.
20. Munna Ram, Son of Ramashankar Ram Resident of Village- Puchhari, Post- Gayghat, Police Station- Brahampur, District- Buxar.
21. Goutam Ram, Son of Ram Prasad Ram Resident of Village- Hamindpur, Police Station- Baikunthpur, District- Gopalganj.
22. Rajeev Kumar Chaudhary, Son of Krishna Nand Chaudhary Resident of Village- Marahiya, Post- Meera Mushehari, Police Station- Chhapra Muffasil, District- Saran.
23. Parmeshwar Nath, Son of Madan Ram Resident of Village- Ganj, Post- Ossain, Police Station- Bihiya, District- Bhojpur.
24. Bipin Kumar Sinha, Son of Late Bhagwat Prasad Resident of Village- Jai Prakash Nagar, Police Station- Aurangabad, District- Aurangabad.
25. Rajeev Kumar Singh Son of Ram Nandan Prasad Singh Resident of Village- Jaipur, Police Station- Mali, District- Aurangabad.
26. Dhananjay Kumar Singh, Son of Chandra Deo Singh Resident of Village- Khaira House New Area Near P.N.B. Aurangabad, Police Station- Aurangabad, District- Aurangabad.
27. Dilip Kumar Singh, Son of Dhaneshwar Singh Resident of Village- Chouriya, Police Station- Phesar, District- Aurangabad.
28. Sanjay Kumar Singh, Son of Dwarika Singh Resident of Village- Pratapganj, Police Station- Rajpur, District- Rohtas.
29. Anil Kumar, Son of Hamesha Nand Ray Resident of Village- Taraon, Police Station- Nashriganj, District- Rohtas.
30. Arvind Kumar Rai, Son of Shanketha Rai Resident of Village- Baddha, Police Station- Noan, District- Kaimur (Bhabua).
31. Rahul Ranjan, Son of Sri Narad Singh Resident of Village- Danwar, Police Station- Kacchwa, District- Rohtas.



32. Sunil Kumar, Son of Nathuna Singh Resident of Village- Bakara, Police Station- Dinara, District- Rohtas.
33. Nitish Kumar Prasad, Son of Byas Prasad Resident of Village- Bangra, Police Station- Hathwa, District- Gopalganj.
34. Arvind Kumar Singh, Son of Baidyanath Singh Resident of Village- Singha Tola Panditpura, Police Station- Mirgan, District- Gopalganj.
35. Rana Ranjit Kumar, Son of Ramdeo Prasad Yadav Resident of Village- Jagbani, Police Station- Gamhariya, District- Madhepura.
36. Rakesh Kumar Singh, Son of Shrawan Kumar Singh Resident of Village- Sabari, Police Station- Kachhawan, District- Rohtas.
37. Vijay Kumar, Son of Late Nawal Kishore Sharma Resident of Village- Muriyabigha, Police Station- Okari, District- Jehanabad.
38. Rajeev Kumar, Son of Kedhar Nath Kumar Resident of Village- Pidhauli, Police Station- Teghra, District- Begusarai.
39. Amresh Kumar, Son of Vignesh Prasad Singh Resident of Village- Barauni, Ghazipur, Police Station- Barauni, District- Begusarai.
40. Prashant Kumar, Son of Upendra Singh Resident of ward no. 6, Village- Nipania, Barauni, Police Station- Phoolwaria, District- Begusarai.
41. Shaliendra Kumar, Son of Rajendra Singh Resident of Village- Gurdaspur Nagar Parishad, Bihat, Police Station- Barauni, District- Begusarai.
42. Prashna Prashant, Son of Chandeshwari Prasad Singh Resident of Village- Ismailpur, Nagar Parishad, Bihat, Police Station- Barauni, District- Begusarai.
43. Pawan Kumar Yadav, Son of Bhola Yadav Resident of Village- Pidhauli, Police Station- Teghra, District- Begusarai.
44. Kamal Nath Jha, Son of Jagdev Jha Resident of Village- Pidhauli, Police Station- Teghra, District- Begusarai.
45. Mukesh Kumar, Son of Kapil Deo Singh Resident of Village- Bihat, Police Station- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General, Headquarter, Patna, Bihar.
5. The Bihar Staff Selection Commission, through its Secretary, Bailey Road, P.O.- Veterinary College Campus, Sheikhpura, Patna- 14.
6. The Chairman, Bihar Staff Selection Commission, Bailey Road, P.O.- Veterinary College Campus, Sheikhpura, Patna- 14.

... .. Respondent/s



WITH

Civil Writ Jurisdiction Case No 2639 of 2023

1. Niranjan Kumar Singh Son of Surendra Singh, Resident of Village- Kanhai Bigha, Police Station- Hilsa, District- Nalanda.
2. Kundan Gautam Son of Sri Ved Prakash Upadhyay, Resident of Village- Rampur Kalan, Police Station- Khaira, District- Saran.
3. Ganesh Kumar Son of Shri Sitaram Munshi, Resident of Village- Yogipur More Hilsa, Police Station- Hilsa, District- Nalanda.
4. Vijay Kumar Son of Jai Prakash Prasad, Resident of Village- Hilsa (Kalishthan Sagar Sweet House), Police Station- Hilsa, District- Nalanda.
5. Raj Kishor Kumar Son of Shri Ishwari Lal, Resident of Mohalla- Murarpur, Police Station- Laheri, District- Nalanda.
6. Ranjeet Ranjan Kumar Son of Rajendra Prasad, Resident of Village- Chhapra, Police Station- Town Kachahari Station Road, District- Chapra.
7. Prabhat Kumar Son of Suryabansh Singh, Resident of Mohalla- Bahadurpur Housing Colony Bhoothnath Road, Police Station- Agam Kuan, District- Patna.
8. Pawan Kumar Son of Shri Deo Sharan Prasad, Resident of Village- Paharapura, Police Station- Biharsharif, District- Nalanda.
9. Pritesh Narayan Singh Son of Vishwadeo Narayan Singh, Resident of Village- Krishnapuri Nandlal Tola, Police Station- Krishnapuri, District- Chapra.
10. Saqul Jamal Khan Son of Taiyab Hussain Khan, Resident of Village- Benipur, Police Station- Benipur, District- Darbhanga.
11. Mithilesh Kumar Singh Son of Late Raj Narayan Singh, Resident of Village- Bikrampur, Police Station- Tiyar, District- Bhojpur.
12. Manish Kumar Son of Bharat Panday, Resident of Village- Kaushik Nagar, Police Station- Hilsa, District- Nalanda.
13. Rajeev Kumar Son of Mithilesh Sharma, Resident of Village- Bajrang Bagh Hilsa, Police Station- Hilsa, District- Nalanda.
14. Uma Shankar Son of Mithilesh Prasad Singh, Resident of Village- Kundwapur, Police Station- Ekangarsarai, District- Nalanda.
15. Akhilesh Kumar Son of Late Arjun Prasad, Resident of Village- Dayamchak, Police Station- Sare, District- Nalanda.
16. Prince Ranjan Son of Ram Pravesh Prasad Yadav, Resident of Village- Chhota Telpa, Police Station- Town Thana, District- Chapra.
17. Kundan Kumar Singh Son of Lakshman Singh, Resident of Village- Sattar, Police Station- Nabinnagar, District- Aurangabad.
18. Mukesh Kumar Singh Son of Lakshman Singh, Resident of Village- Sattar, Police Station- Nabinnagar, District- Aurangabad.



19. Bishnu Shankar Sharma Son of Trideo Thakur, Resident of Village- Nonaur, Police Station- Sahar, District- Bhojpur.
20. Mainuddin Ali Son of Md. Hasnain, Resident of Village- Chhotpur, Police Station- Siwan Mufassil, District- Siwan.
21. Bipin Kumar Son of Ram Raja Thakur, Resident of Village- Bagauchha, Police Station- Maharajganj, District- Siwan.
22. Raj Narayan Baitha Son of Sheojee Baitha, Resident of Village- Chhitauli, Police Station- Siswan, District- Siwan.
23. Amit Kumar Son of Rabindra Prasad Singh, Resident of Village- Surajpur, Police Station- Surajpur, District- Nalanda.
24. Rup Narayan Son of Vidya Prasad Sinha, Resident of Village- Hussey Chhapra Nai Basti Chapra, Police Station- Town Thana, District- Saran.
25. Pranav Bihari Son of Badri Narayan Yadav, Resident of Village- Kadawara, Police Station- Belhar, District- Banka.
26. Barun Kumar Tiwari Son of Vijay Kumar Tiwari, Resident of Village- Basdila, Police Station- Kopa, District- Saran.
27. Vishal Kumar Son of Anant Prasad, Resident of Village- Nai Sadak Chowk, Police Station- Patna City, District- Patna.
28. Ranjeet Ranjan Upadhyay Son of Rangnath Upadhyay, Resident of Village- Rauja, Police Station- Town Thana, District- Saran.
29. Hare Ram Prasad Singh Son of Jagdish Prasad Singh, Resident of Village- Asahani, Police Station- Rasulpur, District- Chapra.
30. Rakesh Ranjan Raj Son of Ram Janam Prasad, Resident of Village- Mouna Koiri Tola, Police Station- Town Thana, District- Chapra.
31. Mukesh Kumar Son of Mohan Kumar Amwast, Resident of Village- P and T. Colony Kidwaipuri, Police Station- Kidwaipuri, District- Patna.
32. Sangita Kumari Daughter of Shyam Sundar Singh, Resident of Village- Tari Near Tari Pul, Police Station- Tari Mufassil, District- Chapra.
33. Gopal Kumar Son of Surendra Prasad Yadav, Resident of Village- Raghunanthpur, Police Station- Sahebpur Kamal, District- Begusarai.
34. Ravi Bhushan Verma Son of Paras Nath Verma, Resident of Village- Bhawanipur Zirat Warsn No. 20, Police Station- Motihari Town, District- East Champaran.
35. Rita Kumari Wife of Sri Janak Dev Sharma, Resident of Village- Basha, Police Station- Raja Patti, District- Gopalganj.
36. Dhiraj Kumar Son of Kailash Pati Prasad Karan, Resident of Village- Madhopur, Police Station- Birauli, District- Samastipur.
37. Sanjiv Kumar Son of Ram Chandra Prasad Yadav, Resident of Village- Padampura, Police Station- Sour Bazar, District- Saharsa.
38. Pankaj Kumar Vidyarthi Son of Bhola Pandit, Resident of Village- Ganjpar, Police Station- Harnaut, District- Nalanda.
39. Chandra Prakash Narayan Son of Satyendra Singh, Resident of Village- Awadhपुरi Road No-4, Police Station- Nawada, District- Bhojpur.



40. Krishna Kumar Singh Son of Uma Shankar Singh, Resident of Village- Bhelai, Police Station- Udwanthnagar, District- Bhojpur.
41. Ravi Ranjan Kumar Son of Shashi Bhushan Prasad, Resident of Village- Raxa Rahimpur, Police Station- Dhaka, District- East Champaran.
42. Ajeet Kumar Son of Kamla Singh, Resident of Village- Chainpura, Police Station- Naubatpur, District- Patna.
43. Himanshu Kumar Son of Raj Kishore Tiwari, Resident of Village- Raghunathpur Near Sarita Sadan, Police Station- Motihari, District- East Champaran.
44. Satyendra Kumar Singh Son of Bishwanath Singh, Resident of Village- Pandey Patty, Police Station-Pandey Patty, District- Buxar.
45. Jay Prakash Choudhary Son of Raghunath Choudhary, Resident of Village- Kudurha, Police Station- Kudurha, District- Buxar
46. Rajendra Prasad Son of Sheo Bihari Singh, Resident of Village- Nandlal Kedia, Police Station- Laxmipur Kedia, District- Bhojpur.
47. Binod Kumar Singh Son of Birendra Bahadur Singh, Resident of Village- Bhelai, Police Station- Udwanthnagar, District- Bhojpur.
48. Chandra Shekhar Kumar Ray Son of Janardan Ray, Resident of Village- Dianman Arak, Police Station- Arak, District- Buxar.
49. Shashi Ranjan Son of Ram Kripal Singh Arwal, Resident of Village- Kinjer, Police Station- Kinjer, District- Arwal.
50. Anil Kumar Son of Ramji Prasad, Resident of Village- Tarouchi, Police Station- Gurua, District- Gaya.
51. Amit Kumar Singh Son of Ravindra Prasad Singh, Resident of Village- Gidha, Police Station- Kailwar, District- Bhojpur.
52. Ajit Kumar Singh Son of Rajendra Singh, Resident of Village- Baraura, Police Station- Shreepur, District- Bhojpur.
53. Umesh Kumar Singh Son of Bashisth Narayan Singh, Resident of Village- Kamriaon, Police Station- Tiwar, District- Bhojpur.
54. Hari Shankar Rai Son of Kamla Rai, Resident of Village- Bhargara, Police Station- Biniya, District- Bhojpur.
55. Shambhu Nath Rana Son of Sheojee Ram, Resident of Village- Kamarioan, Police Station- Tiwar, District- Bhojpur.
56. Sanjay Kumar Paswan Son of Ramjee Paswan, Resident of Village- Belaon, Police Station- Bhabhua, District- Kaimur.
57. Nagendra Kumar Son of Ramashray Singh, Resident of Village- Sondhi, Police Station- Buniyadganj, District- Gaya.
58. Manoranjan Pandey Son of Narendra Deo Pandey, Resident of Mohalla- House No- 427 LCC Building, Police Station- Rampur, District- Gaya.
59. Arunesh Kumar Son of Arvind Kumar Singh, Resident of Mohalla- Sri Krishna Nagar Motihari, Police Station- Motihari, District- East Champaran.
60. Govind Mohan Singh Son of Sevanand Singh, Resident of Village- Punhad, Police Station- Ghanshyampur, District- Darbhanga.



61. Nilesh Kumar Pandey Son of Ramnath Pandey, Resident of Village- Sri Krishna Nagar, Police Station- Motihari, District- East Champaran.
62. Santosh Kumar Son of Suresh Singh, Resident of Village- Budhgareya, Police Station- Wazirganj, District- Gaya.
63. Pramod Kumar Son of Ram Chandra Prasad, Resident of Mohalla- Thakurbari, Police Station- Town Motihari, District- East Champaran.
64. Narendra Kumar Son of Hirdaya Paswan, Resident of Village- Ghato, Police Station- Goh, District- Aurangabad.
65. Vinod Kumar Son of Pitamber Mahto, Resident of Village- Indranagar, Police Station- Chhatauni Motihari, District- East Champaran.
66. Manoj Kumar Singh Son of Rajendra Kumar Singh, Resident of Village- Lodipur, Police Station- Rafiganj, District- Aurangabad.
67. Ajay Paswan Son of Sarju Paswan, Resident of Village- Nema Bigha, Police Station- Gurua, District- Gaya.
68. Basant Kumar Chakrabarty Son of Dilip Kumar Chakrabarty, Resident of Village- Chhatauni Colony Motihari, Police Station- Motihari, District- East Champaran.
69. Dilip Kumar Singh Son of Ram Charitra Singh, Resident of Village- Karamchak, Police Station- Madanpur, District- Aurangabad.
70. Ramesh Kumar Singh Son of Saheb Singh, Resident of Village- Chorahat, Police Station- Madanpur, District- Aurangabad.
71. Gopal Jee Son of Ramdas Singh, Resident of Village- Madanpur, Police Station- Amas, District- Gaya.
72. Manish Kumar Son of Surendra Kumar Sinha, Resident of Village- Agarwa Nagar, Police Station- Motihari Town, District- East Champaran.
73. Bimlesh Kumar Son of Kamlesh Jha, Resident of Village- Sukhnagar, Police Station- K. Hat, District- Purnia.
74. Abhay Kumar Son of Motilal Sah, Resident of Village- Hanuman Nagar, Police Station- Khajanchi Hat, District- Purnia.
75. Sanjay Kumar Son of Binoda Nand Mishra, Resident of Village- Tatma Toli, Police Station- Khanjanchi Hat, District- Purnia.
76. Rajnish Kumar Son of Bhupendra Prasad Yadav, Resident of Village- Rahua, Police Station- Krityanand Nagar, District- Purnea.
77. Neeraj Kumar Son of Ram Narayan Thakur, Resident of Village- Dumra, Police Station- Dumra, District- Sitamarhi.
78. Amit Kumar Jha Son of Subhash Chandra Jha, Resident of Village- Dhamdaha, Police Station- Dhamdaha, District- Purnea.
79. Sartaz Khan Son of Badruddin Khan Resident of Village- Laliyahi, Police Station- Katihar, District- Katihar.
80. Manish Kumar Son of Deena Nath Prasad, Resident of Village- Khajuriya, Police Station- Bankey Bazar, District- Gaya.
81. Amir Kumar Son of Nagendra Singh, Resident of Village- Bishunpura, Police Station- Bishunpura, District- Patna.



82. Sanoj Kumar Son of Late Kedarnath Arya, Resident of Village- Desath, Police Station- Desath, District- Buxar.
83. Abdhesh Kumar Karyee Son of Surendra Prasad Karyee, Resident of Village- Sahpur Undi, Police Station- Patory, District- Samastipur.
84. Dheeraj Kumar Son of Sri Amar Nath Roy, Resident of Village- Maula Bagh, Police Station- Arrah, District- Bhojpur.
85. Samrendra Kumar Roy Son of Bipin Kumar, Resident of Village- Balughat Barahm Asthan, Police Station- Muzaffarpur Town, District- Muzaffarpur.
86. Anil Kumar Son of Deo Chandra Prasad Srivatava Resident of Village- Balapur, Police Station- Ghorasahan, District- East Champaran.
87. Pradeep Kumar Mishra Son of Braj Bhushan Mishra, Resident of Village- Raghunathpur, Police Station- Turkaulia, District- East Champaran.
88. Niraj Kumar Jha Son of Balanath Jha, Resident of Village- Bagahi, Police Station- Ramgarhwa, District- East Champaran.
89. Rajesh Kumar Son of Ramnath Singh, Resident of Village- Balughat Near Jangli Mai Ashthan, Police Station- Muzaffarpur Town, District- Muzaffarpur.
90. Pawan Kumar Son of Tej Pratap Singh, Resident of Village- Rathopur Newaji Tola, Police Station- Muffasil Chapra, District- Saran.
91. Rashmi Rani Daughter of Bindhyachal Singh, Resident of Village- Ratanpura Chhapra, Police Station- Bhagwan Bazar, District- Chhapra.
92. Priya Ranjan Son of gauri Shankar Singh, Resident of Village- Dumari Road Maripur, Police Station- Meerapur, District- Muzaffarpur.
93. Akabar Ali Son of Md. Habib, Resident of Village- Damodarpur Paithan Toli, Police Station- Damodarpur, District- Muzaffarpur.
94. Mukesh Singh Son of Vijay Singh, Resident of Village- Shivpuri Colony Road NO-01 Manpur, Police Station- Buniyadganj, District- Gaya.
95. Upendra Prasad Yadav Son of Ramdev Ray, Resident of Village- Dipau, Police Station- Kotwa, District- East Champaran.
96. Santosh Kumar Yadav Son of Virendra Prasad Yadav, Resident of Village- Raghupur, Police Station- Chiraiya, District- East Champaran.
97. Manohar Kumar Son of Sugga Lal Baitha, Resident of Village- Belbanwa, Police Station- Town Motihari, District- East Champaran.
98. Praveen Kumar Singh Son of Raj Narayan Singh, Resident of Village- Karariya, Police Station- Gopalganj, District- Gopalganj.
99. Abinash Kumar Son of Raj Kameshwar Singh, Resident of Village- Kovil, Police Station- Islampur, District- Nalanda.
100. Tarun Kumar Singh Son of Chandeshwar Prasad, Resident of Village- Matihan, Police Station- Dariyapur, District- Saran.
101. Harendra Ray Son of Prabhu Ray, Resident of Village- Saidpur Dighwara, Police Station- Dighwara, District- Saran.
102. Ajit Kumar Son of Sri Kaushal Kishore Dasaundhi, Resident of Village- New Colony Balughat, Police Station- Town Muzaffarpur, District- Muzaffarpur.



- 103 Abhinandan Kumar Singh Son of Shri Niwash Singh, Resident of Village- Mukrera, Police Station- Revilganj, District- Saran.
- 104 Nitesh Kumar Singh Son of Madan Mohan Singh, Resident of Village- Mukrera, Police Station- Rivilganj, District- Saran.
- 105 Md Kamrej Alam Son of Md. Abdul Kalam, Resident of Village- Kusmhi, Police Station- Salkhua, District- Saharsa.
- 106 Shailendra Mohan Singh Son of Rajbrind Singh, Resident of Village- Kovil, Police Station- Islampur, District- Nalanda.
- 107 Satyendra Kumar Son of Raj Maheshwari Prasad, Resident of Village- Pakari Barwan, Police Station- Pakri Barwan, District- Nawada.
- 108 Hemant Kumar Singh Son of Suresh Prasad Singh, Resident of Village- Ashok Nagar, Police Station- Janki Nagar, District- Purnea.
- 109 Divakar Kumar Choudhary Son of Satyanarayan Choudhary, Resident of Village- Turkawalia, Police Station- Rajandih, District- Rohtas.
- 110 Arun Kumar Singh Son of Shobhnath Singh, Resident of Village- Pawani, Police Station- Nasriganj, District- Rohtas.
- 111 Amit Kumar Son of Shyam Narayan Tiwari, Resident of Village- Kayam Nagar, Police Station- Koilwar, District- Bhojpur.
- 112 Satyendra Kumar Son of Yogendra Ram, Resident of Village- Siswa, Police Station- Shikarpur, District- West Champaran.
- 113 Pravin Kumar Singh Son of Bipin Bihari Singh, Resident of Village- Bahiro, Police Station- Nawada, District- Bhojpur.
- 114 Abhay Kumar Son of Ramyatan Prasad, Resident of Village- Pachrukhiya, Police Station- Khushrupur, District- Patna.
- 115 Abhay Kumar Son of Krishna Kumar, Resident of Village- Dumraon, Police Station- Dumraon, District- Buxar.
- 116 Devendra Ray Son of Babu Saheb Ray, Resident of Village- Bithouli, Police Station- Baheri, District- Darbhanga.
- 117 Rajiv Kumar Singh Son of Ganesh Prasad Singh, Resident of Village- Punhad, Police Station- Ghanshyampur, District- Darbhanga.
- 118 Shakti Kumar Son of Ramadhar Singh, Resident of Mohalla- Mahavir Nagar House No-12, Police Station- Patliputra, District- Patna.
- 119 Santosh Kumar Son of Arjun Singh, Resident of Village- Ramjee Chak Digha, Police Station- Digha, District- Patna.
- 120 Ram Chandra Yadav Son of Baleshwar Yadav, Resident of Village- Dilawarpur, Police Station- Bahadurpur, District- Darbhanga.
- 121 Jaynath Kumar Yadav Son of Ram Narayan Yadav, Resident of Village- Birpur, Police Station- Laukaha, District- Madhubani.
- 122 Subir Kumar Singh Son of Murari Lal Singh, Resident of Village- Raghua, Police Station- Uchakagaon, District- Gopalganj.
- 123 Mukesh Son of Ram Sagar Prasad, Resident of Village- Parewa, Police Station- Shikarganj, District- East Champaran.
- 124 Ramesh Kumar Son of Asharfi Ray, Resident of Village- Kunawa, Police



Station- PakriDayal, District- East Champaran.

- 125 Chandra Shekhar Ram Son of Raghu Ram, Resident of Village- Barkagaon, Police Station- Pakridayal, District- East Champaran.
- 126 Md. Zahid Khan Son of Md Tarique Khan, Resident of Village- Dihlahi, Police Station- Bishanpur, District- Darbhanga.
- 127 Arvind Kumar Son of Govind Jee, Resident of Village- Ward No-11 Sawambar Teli Ki Gali, Police Station- Dumraon, District- Buxar.
- 128 Manoranjan Kumar Singh Son of Late Surendra Prasad Singh, Resident of Village- Masarh Tola, Police Station- Jagdishpur, District- Bhojpur.
- 129 Bikram Kumar Jha Son of Ashok Kumar Jha, Resident of Mohalla- Bank Colony Lane No-8 Krishna Bihar Gola Road, Police Station- Ram Krishna Nagar, District- Patna.
- 130 Jitendra Kumar Son of Vishwanath Prasad, Resident of Village- Kinjer, Police Station- Kinjer, District- Arwal.
- 131 Raju Kumar Singh Son of Devendra Prasad Singh, Resident of Village- Rathour Tola Newaji Tola, Police Station-Mufassil, District- Saran.
- 132 Akhilesh Kumar Singh Son of Sri Chandeshwar Prasad Singh, Resident of Village- Aliyaspur, Police Station-Garkha, District- Saran.
- 133 Niraj Kumar Son of Suresh Prasad Yadav, Resident of Village- Masoomganj, Police Station- Chapra, District- Chapra.
- 134 Kundan Kumar Jhunnu Son of Kamleshwar Thakur, Resident of Village- Pursotampur, Police Station- Kalyanpur, District- Samastipur.
- 135 Arun Kumar Panday Son of Namo Narayan Pandey, Resident of Village- Nizirpur Near Central High School, Police Station- Ahiyapur, District- Muzaffarpur.
- 136 Chandra Mauli Kumar Son of Raja Ram Singh, Resident of Village- Begampur Nathachak, Police Station- Begampur, District- Nalanda.
- 137 Sanjay Kumar Srivastava Son of Shambhu Prasad, Resident of Village- Patauralala Tola, Police Station- Mufassil Motihari, District- East Champaran.
- 138 Awadhesh Kumar Son of Kapildeo Singh, Resident of Village- Raghopur, Police Station- Chiraiya, District- East Champaran.
- 139 Ajit Kumar Singh Son of Late Gokhul Singh, Resident of Mohalla- Kalinagari Near Kali Mandir Raxaul, Police Station- Raxaul, District- East Champaran.
- 140 Kumar Gourav Son of Bijay Krishna Jha, Resident of Mohalla- Near Sagun Niwas Kamal Nagar Colony Mirjanhat, Police Station- Mojahidpur, District- Bhagalpur.
- 141 Pran Mani Singh Son of Ashok Kumar Singh, Resident of Village- Chandadih, Police Station- Dhoriya, District- Banka.
- 142 Manoj Kumar Singh Son of Late Shyam Sundar Singh, Resident of Village- Gangabagh Colony Barari, Police Station- Zeromile, District- Bhagalpur.
- 143 Sumit Kumar Son of Satya Narayan Singh, Resident of Village- Kashri, Police Station- Antichak Kahalgaon, District- Bhagalpur.



- 144 Ranveer Kumar Son of Ravindra Singh, Resident of Village- Karnauti, Police Station- Bakhtiyarpur, District- Patna.
- 145 Ravindra Kumar Son of Tula Prasad Yadav, Resident of Village- Ekamba, Police Station- Sirdala, District- Nawada.
- 146 Navin Kumar Son of Ayodhya Rai, Resident of Village- Kharon Khurda, Police Station- Sahar, District- Bhojpur.
- 147 Nagendra Kumar Verma Son of Late Sidheshwar Nath Verma, Resident of Village- Purnadih, Police Station- Madanpur, District- Aurangabad.
- 148 Gautam Kumar Kashyap Son of Ranjit Kumar Kashyap, Resident of Mohalla- Mahatama Gandhi Nagar Bahadurpur Housing Colony, Police Station- Agam Kuan, District- Patna.
- 149 Abhiram Kumar Son of Umesh Sharma, Resident of Village- Karauta, Police Station- Salimpur, District- Patna.
- 150 Ram Awatar Ram Son of Ram Prabhaw Ram, Resident of Village- Dadar, Police Station- Mohania, District- Kaimur.
- 151 Niraj Son of Bisheshwar Singh, Resident of Village- Basepur, Police Station- Bajpatti, District- Sitamarhi.
- 152 Shivjee Kumar Son of Laxman Prasad, Resident of Village- Banahi, Police Station- Bihiya, District- Bhojpur.
- 153 Ravindra Kumar Son of Ram Narayan Ram, Resident of Mohalla- Golghar Park Road Patna, Police Station- Gandhi Maidan, District- Patna.
- 154 Suman Kumar Son of Bijendra Prasad Kapri, Resident of Mohalla- Sandalpur Sharma Tola Near Kali Mandir, Police Station- Muffasil, District- Munger.
- 155 Rajiv Kumar Son of Kameshwar Prasad, Resident of Mohalla- Chowk West Ram Krishna Nagar, Police Station- Ram Krishna Nagar, District- Patna.
- 156 Bhim Singh Son of Guput Singh, Resident of Village- Belaon, Police Station- Belaon, District- Kaimur.
- 157 Vijay Kumar Son of Suresh Ram, Resident of Village- Illage Kumari, Police Station- Karmachat, District- Kaimur.
- 158 Binod Kumar Pal Son of Ram Janam Pal, Resident of Village- Sawar, Police Station- Karmachat, District- Kaimur.
- 159 Priti Kumari Daughter of Sunil Kumar Mishra, Resident of Village- Bsudeopur, Police Station- Muffasil, District- Munger.
- 160 Neha Kumari Daughter of Nageshwar Prasad Singh, Resident of Village- Sanhauli, Police Station- Khagaria, District- Khagaria.
- 161 Purushottam Kumar Son of Sadhu Sharan Lal, Resident of Village- Sumka, Police Station- Chandi, District- Nalanda.
- 162 Kanhaiya Kumar Son of Yogendra Prasad Singh, Resident of Village- Mokama Moldiar Tola, Police Station- Mokama, District- Patna.
- 163 Sushil Kumar Son of Kapileshwar Paswan, Resident of Village- Kharatta, Police Station- Chautham, District- Khagaria.
- 164 Ved Prakash Singh Son of Dharamdeo Singh, Resident of Village- Rana Bigha, Police Station- Barh, District- Patna.



- 165 Arun Kumar Son of Hira Lal Mandal, Resident of Mohalla- Sharda Nagar Purnia, Police Station- Purnia, District- Purnia.
- 166 Devdas Vatsa Son of Ram Kishore Roy, Resident of Mohalla- Krishana Garh Colony, Police Station- Sultanganj, District- Bhagalpur.
- 167 Chandra Shekhar Kumar Yadav Son of Sheo Balak Yadav, Resident of Village- Nandlal Kedera, Police Station- Sahpur, District- Bhojpur at Ara.
- 168 Surendra Prasad Son of Ram Bilash Ram, Resident of Village- Belaon, Police Station- Belaon, District- Kaimur.
- 169 Rajesh Kumar Son of Chandra Mauli Prasad Singh, Resident of Village- Babhangama, Police Station- Begusarai, District- Begusarai.
- 170 Achint Kumar Singh Son of Nagendra Singh, Resident of Village- Khaldiya Barka Gaon, Police Station- Tarari, District- Bhojpur.
- 171 Arvind Kumar Son of Prem Chandra Prasad, Resident of Mohalla- R.K. College Gate Ward No-11 Madhubani, Police Station- Madhubani, District- Madhubani.
- 172 Suman Kumar Son of Ram Baran Prasad, Resident of Village- Masud Bigha, Police Station- Barh, District- Patna.
- 173 Yatendra Kumar Pathak Son of Late Radha Krishna Pathak, Resident of Mohalla- Bekapur Near Durga No.4, Police Station- Muffasil, District- Munger.
- 174 Shivraj Nandan Singh Son of Krishna Nandan Singh, Resident of Mohalla- Veer Kunwar Singh Colony Munger, Police Station- Mufassil, District- Munger.
- 175 Raghunath Jha Son of Shyam Sundar Jha, Resident of Village- Horalpatti, Police Station- Rameshwar Nagar, District- Darbhanga.
- 176 Reetesh Ranjan Son of Chitranjan Prasad, Resident of Village- Bewarl, Police Station- Kothi, District- Gaya.
- 177 Sambhoo Rai Son of Jai Narayan Rai, Resident of Village- Keshopur, Police Station- Kurhni, District- Muzaffarpur.
- 178 Kumar Raushan Kishor Son of Arun Kishor, Resident of Village- Dhurgaon, Police Station- Ekangarsarai, District- Nalanda.
- 179 Mukesh Kumar Son of Satya Narayan Singh, Resident of Village- Rupsipur, Police Station- Manhar, District- Vaishali.
- 180 Ajeet Kumar Son of Ramdeo Paswan, Resident of Village- Prahlad Chauk, Police Station- Fatua, District- Patna.
- 181 Vinay Kumar Sharma Son of Late. Kailash Pati Sharma, Resident of- Lagartoli Lane, Police Station- Pirbahore, District- Patna.
- 182 Vijay Kumar Choudhary Son of Krishna Chandra Choudhary, Resident of Village- Darhar, Police Station- Bahadurpur, District- Darbhanga.
- 183 Jitendra Kumar Son of Ram Naresh Singh, Resident of Village- Bajitpur, Police Station- Paru, District- Muzaffarpur.
- 184 Dilip Kumar Ram Son of Shayam Sundar Ram, Resident of Village- Hata Bishunpura, Police Station- Ekma, District- Saran.
- 185 Ajay Kumar Son of Ram Rameshwar Kumar Yadav, Resident of Village-



Bighan, Police Station- Manjhi, District- Saran.

186 Sanoj Kumar Pandey Son of Shatrudhan Pandey, Resident of Village-Chota
Brahampur, Police Station- Mufassil, District- Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General, Headquarter, Patna, Bihar.
5. The Bihar Staff Selection Commission, through its Secretary, Bailey Road,
P.O.- Veterinary College Campus, Sheikhpura, Patna- 14.
6. The Chairman, Bihar Staff Selection Commission, Bailey Road, P.O.-
Veterinary College Campus, Sheikhpura, Patna- 14.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 2372 of 2023)

For the Petitioner/s : Mr Sanjay Singh, Sr Advocate with
M/s Nilendu Kumar Choudhary, Rahul Kumar
Dubey, Manish Kumar No 2, Advocates

For the S t a t e : Mr.Md. Nadim Seraj (Gp 5)
Mr Dhurendra Kumar, AC to GP V

For the BSSC : Mr Lokesh Kr Singh, Advocate

(In Civil Writ Jurisdiction Case No. 2484 of 2023)

For the Petitioner/s : Mr D K Sinha, Sr Advocate
M/s Nilendu Kr Choudhary, Rahul Kr Dubey, Advs

For the S t a t e : Mr Sheo Shankar Prasad, SC VIII

For the BSSC : Mr Sanjay Kumar, Advocate

(In Civil Writ Jurisdiction Case No. 2639 of 2023)

For the Petitioner/s : Mr Sanjay Singh, Sr Advocate with
M/s Nilendu Kumar Choudhary, Rahul Kumar
Dubey, Manish Kumar No 2, Advocates

For the Respondent/s : Mr.Manish Kumar (Gp 4)
Mr Ajay Kr, AC to GP IV
Mr Satyabir Bharti, Sr Advocate with
M/s Kanupriya, Abhishek Anand, Advocates



CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

CAV JUDGMENT

Date : 20-08-2025

Since common issues are involved in these writ petitions, therefore, the same are being decided by this common order.

2 All these petitions have been preferred by the petitioners for setting aside the order passed by the Deputy Inspector General of Police (Personnel), Bihar, Patna whereby and where under the representation filed by the petitioners have been dismissed on different dates (Annexure 19 series) on the ground that the representations of the petitioners cannot be considered as 133 candidates/applicants have been appointed as per the order passed by the Supreme Court under Article 142 of the Constitution of India and further to issue direction to the respondents-authorities to give the benefits of right of equality to the petitioners taking into consideration the order dated 14.09.2017 passed by the Hon'ble Supreme Court in CA No 2795-2797 of 2017 through which 133 candidates who have qualified in physical test for Sub Inspector Recruitment Examination conducted by the Bihar Staff Selection Commission (for brevity, **BSSC**) through Advertisement No 704 of 2004, were directed to be appointed after medical



examination like other candidates and also for issuance of direction to the respondents to appoint the petitioners on the post of Sub Inspector on the ground that all the petitioners herein have secured higher marks than the 133 candidates who have been appointed pursuant to the order passed by the Hon'ble Supreme Court.

3 The facts and claims made by the writ petitioners in all these petitions being based on the same ground, it shall be sufficient to refer the pleadings made in ***CWJC No 2372 of 2023 (Santosh Kumar & Others -Versus- The State of Bihar & Others)*** for deciding all the writ petitions herein.

4 Facts of the case are that Advertisement No 704 of 2004 was issued by the BSSC for appointment of 1510 posts of Sub Inspector. The physical test and thereafter written examination were part of selection process. The physical test, in pursuance of the 2004 advertisement, was held in the year, 2006 and those selected candidates were permitted to take written examination in the year, 2008. The result was declared on 30.05.2008. The petitioners herein were selected in the physical test as well as in the written test. Since there were certain mistakes in the model questions, certain writ petitions were filed in this Court challenging the result. The BSSC appointed an Expert



Committee and re-scrutinized the answer sheet. Consequently, 160 originally selected candidates were required to be removed. The State Government decided to retain 160 originally selected candidates also. Consequently, 639 more vacancies were added to accommodate 160 originally selected candidates to maintain the roster. The candidates, who were still unsatisfied regarding the correctness of some answers and increase of vacancies by 639, filed writ petitions before this Court and ultimately, the matter was carried to the Supreme Court in Civil Appeals No 1240-41 of 2011 with other connected appeals. During pendency of the appeals, it was noticed that requisition for appointment of 299 posts of Sub Inspectors have been received to the BSSC from the State Government. The Supreme Court directed the BSSC to hold fresh examination for 299 posts of Sub Inspectors and only those appellants, who were the writ petitioners before this Court or pending before this Court totalling 223 candidates were at the liberty to appear in the physical as well as in the written examination. Subsequently, the Supreme Court, by order dated 28.11.2011, considering various IAs, permitted all the applicants, who were similarly situated to those candidates who were eligible to appear in the examination for filling 299 posts of Sub Inspectors vide Advertisements No 704/511. This Court in the case of **Rajiv**



Kumar -Versus- The State of Bihar, 2015 SCC Online Patna 4597, issued a further direction to appoint 67 candidates belonging to most backward category who were wrongly left out. The State appointed those 67 candidates, and only to retain those candidates, who were to be displaced, decided to appoint 186 more candidates. There was challenge to the appointment of 186 candidates in this Court and ultimately, the matter came to the Supreme Court. The Supreme Court, in the case of ***Chandra Gupta Kumar -Versus- The State of Bihar, 2017 SCC Online SC 1896***, passed the order to proceed in the physical test vide its order dated 08.05.2017. It was noticed that only 2192 candidates turned up for selection in the physical test out of which 232 qualified and ultimately only 97 candidates were finally selected. The Hon'ble Supreme Court directed to appoint 97 selected candidates and also directed the State to accommodate 67 OBC candidates. However in this selection process, the State Government wanted the candidates to undergo physical test contrary to the order passed by the Supreme Court. Therefore, large number of candidates including 133 candidates did not participate in the selection process. Civil Appeals No 2795-2797 of 2017 and other connected appeals were filed against the order. The Apex Court in Civil Appeal No 2795-2797 of 2017 and other connected appeals, vide order dated



14.09.2017 (Annexure 6) directed to appoint 133 candidates. Due to non-compliance of the said order, a Contempt Petition (Civil) No 14-18 of 2018 has been filed wherein the Hon'ble Supreme Court, vide its order dated 08.05.2018, directed that 133 candidates will have to go only medical fitness test. Subsequently, pursuant to the said order, 133 candidates were appointed.

5 Since the petitioners, in these petitions, were having more marks than the last cut off marks of the 133 candidates, they become able to request for equal treatment. Persons, who were waiting for their selection likely to 133 candidates, have approached this Court through different writ petitions which finally culminated in the Special Leave to Appeal No 8932-8940 of 2020 which were heard and decided on 28.10.2020 directing the respondents-authorities to consider the representation filed by them in accordance with law. The petitioners in these petitions have also submitted representation before the respondents which have been rejected by the respondents vide their orders (Annexure 19 series) only on the ground that the matter of the petitioners are not covered and they are not entitled to take appointment like the 133 candidates who have been appointed pursuant to the direction given by the Hon'ble Apex Court as the order dated 08.05.2018 of the Supreme Court has been passed under Article 142 of the



Constitution of India. Hence, these petitions have been preferred by the petitioners.

6 Learned counsel for the petitioners submits that the petitioners are the bona fide candidates which is reflected by their marks which are more than the cut off marks of the 133 candidates. Therefore, their appointment cannot be denied only on the ground that the 133 candidates were appointed under Article 142 of the Constitution of India. According to the counsel, though the 133 candidates have been appointed pursuant to the order passed by the Hon'ble Supreme Court under Article 142 of the Constitution of India but facts remain that the petitioners herein have secured more marks than those selected 133 candidates. Referring to the judgment of *Ahswani Kumar & Others -Versus- The State of Bihar*, reported in *AIR 1997 SC 1628*, it is submitted by the counsel that in the said judgment, it has been clearly held that all persons, similarly situated whether they moved the Court or not, must be similarly treated and they cannot be denied the relief which have been granted by the Court. According to the counsel, Articles 14 and 16 of the Constitution of India also clarify that there should be equality of opportunity in the matter of public appointment. While deciding the representation of the petitioners, the respondents did not consider this aspect and rejected the same



only on the ground that the appointment of 133 candidates have been made pursuant to the order passed by the Supreme Court which has been passed under Article 142 of the Constitution of India. Learned counsel further submits that as of now, there are vacancies available and the petitioners have secured more marks than the 133 candidates who were appointed and according to the counsel against the same advertisement that is Advertisement No 704 of 2004, in the year 2023 and 2024 also, appointments were made by the respondents. Therefore, the stand of the respondents is discriminatory.

7 Learned counsel for the respondents opposes the argument raised by the learned counsel for the petitioners and submits that since the order of Hon'ble the Supreme Court regarding selection and appointment have been passed under Article 142 of the Constitution of India, it was obligatory for the respondents to comply with the orders. Accordingly, the 133 candidates were invited and appointment letters were issued in favour of the candidates who were found fit. As per the order dated 14.09.2017, the appointments of 133 candidates cannot be made precedent. Therefore, the claim of the petitioners has rightly been rejected. He further submits that so many writ petitions and LPAs having similar claims of appointment on the post of Sub



Inspector of Police in parity with 133 appointments have already been dismissed by this Court vide CWJC No 9936 of 2021, CWJC No 8764 of 2021, CWJC No 6173 of 2019, CWJC No 6913 of 2019, CWJC No 18980 of 2018, CWJC No 24153 of 2018, CWJC No 23829 of 2018, CWJC No 24040 of 2018, CWJC No 23703 of 2018, LPA No 689 of 2021 and LPA No 755 of 2019. Therefore, the writ petitions, preferred by the petitioners, are not maintainable and are fit to be dismissed.

8 I have heard learned counsel for the parties, perused the documents annexed with the petition as well as the counter affidavit, supplementary counter affidavit and rejoinder.

9 It has been categorically pleaded by the petitioners herein that all the petitioners have participated and passed physical test held in the year, 2006 and also took the written test and qualified. However, their names did not find position in the merit list. The above pleadings made by the petitioners have not been rebutted by the respondents in their counter affidavits.

10 In paragraphs 19 and 20 of the writ petition, it has further been categorically pleaded that the petitioners herein have obtained more marks than the last cut off marks obtained by the 133 candidates who were appointed pursuant to the order passed by the Hon'ble Supreme Court. In support of this, the petitioners



annexed the marks obtained by the 133 candidates (Annexure 8) and marks obtained by the petitioners (Annexure 9). The respondents, in their counter affidavit, again did not make any dispute on this point.

11 The claim of the petitioners have been rejected (Annexure 19 series) only on the ground that the matter of the petitioners are not covered and they are not entitled to take appointments like the 133 candidates as the order dated 08.05.2018 of the Supreme Court with regard to the appointment of 133 candidates has been passed under Article 142 of the Constitution of India. In their representations, the petitioners categorically mentioned the fact that they secured more marks of the respective categories than the marks obtained by the 133 candidates. However, while deciding the representation of the petitioners, it has not been examined by the respondents and rejected the claim only on the ground that the 133 candidates have been appointed on the direction of the Hon'ble Supreme Court issued under article 142 of the Constitution of India.

12 The argument was advanced by the learned counsel for the respondents that on earlier occasion also, some of the candidates have filed various petitions before this Court for their appointment on the ground of parity which has been dismissed by



the learned Single Judge of this Court and has also been affirmed by the Division Bench of this Court in LPAs No 755 of 2019, 571 of 2019, 1243 of 2019, 694 of 2019, 1224 of 2019 and 53 of 2025.

13 At this juncture, it would be appropriate to reproduce the relevant part of the orders passed in the above LPAs:

LPA No 755 of 2019 (Navin Kumar & Ors -Versus- State of Bihar & Ors)

“On the merits of the appeal, we have perused the impugned judgment and the grounds taken have been clearly answered by the learned Single Judge indicating that it will not be appropriate for the Court now to entertain any such claim with regard to the selections pursuant to the advertisement of 2004. Therefore, we are not inclined to entertain the appeal. The same is, accordingly, dismissed.”

LPA No 571 of 2019 (Naresh Kumar & Ors Vs State of Bihar & Ors)

“Heard learned counsel for the appellants, learned counsel for the State and learned counsel for the Commission.

Counsel for the appellants submits that those 133 persons, who have been recruited, have been appointed after the order of Hon’ble Supreme Court as they have approached the Hon’ble Supreme Court, but, in fact, they have secured lesser marks than these appellants.

It has been brought to our notice that the identical matter was taken into consideration by a coordinate Bench of this Court in LPA No 755 of 2019, vide order dated 17.07.2019, the Court has refused to entertain any such claim with regard to the selection pursuant to the advertisement of 2004.

In the present cases, the issue is the same. The learned Single Judge has refused to reopen the matter on the ground that the issue now stands closed with the selection process having been completed



long time back pursuant to advertisement of the year 2004.

We do not find any difference with the fact of LPA No 755 of 2019 and the present case.

In such view of the matter, we do not find any me

rit in these appeals and, accordingly, the same is dismissed.”

LPA No 1224 of 2019 & one analogous case (Sandesh Kumar Singh & Ors -Versus- The State of Bihar & Ors)

“The issue raised in present LPAs are no more res integra and stands decided in LPA No 571 of 2019 (Naresh Kumar & Ors Vs State of Bihar & Ors) and its 10 analogous cases”

LPA No 53 of 2025 (Rajiv Kumar & Ors -Versus- The State of Bihar & Others)

“In similar circumstances, cases of some of the aspirants were rejected by a learned Single Judge of this Court in a batch of writ petitions, the lead case being CWJC No 6173 of 2019 (Santosh Kumar & Ors vs The State of Bihar & Ors) against which the appeal and the SLP also have been dismissed.”

14 Perusal of the above orders clearly show that claim of the petitioners therein were rejected on the ground of delay and laches as the selection process was of the year, 2004 and further, the process has been completed. Argument has been advanced by the learned counsel for the petitioners that the process of selection of candidates under Advertisement No 704 of 2004 is not closed and in the year, 2023 and in the year, 2024 also, some of the candidates were appointed by the respondents under the same recruitment process, i e, of the year, 2004. Referring to the



judgment dated 21.12.2023 passed by a coordinate Bench of this Court in the case of ***Dinesh Kumar -Versus The State of Bihar & Others (CWJC No 3289 of 2020)*** and also the judgment dated 10.04.2024 in the case of ***Mala -Versus- Bihar State Staff Selection Commission & Others (MJC No 1643 of 2019)***, it is submitted by the learned counsel for the petitioners that as per the direction given by this Court in the above referred matters, both Dinesh Kumar as well as Mala have been appointed in the years, 2023 and 2024 respectively under the same advertisement, i e, of the year, 2004. The above submission made by the learned counsel for the petitioners is not disputed by the learned counsel for the respondents. Thus, it is quite clear that in the year, 2023 and in the year, 2024 also, some of the candidates have been given appointment under the 2004 advertisement meaning thereby the process of appointment under the 2004 advertisement has not been closed yet and also it cannot be said that the vacancy has been closed.

15 It has been argued by the learned counsel for the respondents that the order for appointment of 133 candidates has been passed by the Hon'ble Supreme Court under Article 142 of the Constitution of India which has been passed by the Supreme Court on peculiar facts of the case of those petitioners which



cannot be treated as precedent. Therefore, according to the counsel, the claim of the petitioners herein is not acceptable. Undisputedly, the order for appointment of 133 candidates have been passed by the Hon'ble Supreme Court under Article 142 of the Constitution of India taking into consideration the fact that the 133 candidates, as mentioned above, have cleared the physical efficiency test in the year, 2006. Therefore, at the time of process of their appointment in the year, 2017-18, they need only to be subjected to the medical fitness test. In the case of the petitioners herein also, they cleared the physical efficiency test in the year, 2006. After taking into consideration the marks obtained by them, which is mentioned in Annexure 9, it also appears that they secured more marks of the respective categories than the 133 candidates. Article 16 (1) of the Constitution of India states that there shall be equality of opportunity for all citizens in the matter relating to employment or appointment to any office under the State. Though the order of appointment of 133 candidates have been passed by the Supreme Court under Article 142 of the Constitution of India, it does not prohibit to appoint the persons who secured more marks than the 133 candidates. In the considered view of this Court, the appointment of a person with



lesser merit ignoring those who have secured higher marks is in violation of Articles 14 and 16 of the Constitution of India.

16 Taking into consideration the fact that the petitioners passed in physical test held in the year 2006, appeared in the written test and qualified and further taking into consideration the fact that prima facie, it appears that they have secured more marks under the respective categories than the 133 candidates who were appointed pursuant to the order passed by the Hon'ble Supreme Court and further taking into consideration the fact that in the year, 2023 and 2024 also, some of the candidates were appointed by the respondents under the recruitment process of 2004, I am of the view that on the ground of equity, the petitioners are also entitled to get their appointment as they have secured more marks than the 133 candidates. Depriving the petitioners of their appointment would be grave and irreparable prejudice to them. Respondents ought to have acted with more reasonableness and in accordance with the legal principles discussed above without causing discrimination and prejudice to any candidate who are similarly situated with other appointed candidates rather on better footing as they have obtained more marks than the 133 appointed candidates, as mentioned above.



17 For the reasons, as discussed above, all the petitions are allowed.

18 The respondents are directed to give appointment to the petitioners against the vacancies at the earliest for the post of Sub Inspector under Advertisement No 704 of 2004, if they are found medically fit.

19 The above exercise will be done within six weeks from the date of receipt of a copy of this order.

(Arvind Singh Chandel, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	27.06.2025
Uploading Date	20.08.2025
Transmission Date	NA

