

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2825 of 2025

1. Nandan Kumar Son of Devendra Prasad Yadav, Resident of Village- Srirampur, Police Station- Akbarnagar, District-Bhagalpur.
2. Dimpal Kumar Yadav Son of Bhedi Yadav Resident of Village- Basantpur, Police Station- Akbarnagar, District- Bhagalpur.
3. Dharambir Paswan Son of Indradev Paswan Resident of Village- Rashidpur Akbarnagar, Police Station- Akbarnagar, District-Bhagalpur.
4. Samir Kumar, Son of Naresh Yadav, Resident of Village and Post Office- Bhawanipur, Police Station- Rangra Chowk, District-Bhagalpur.
5. Ruby Kumari Daughter of Shambhu Parasad Yadav @ Shambhu Prasad Yadav, Resident of Village- Bhawanipur, Police Station- Rangra Chowk, District- Bhagalpur.
6. Ganesh Kumar Yadav, Son of Kanik Lal Yadav, Resident of Village and Post Office- Bhawanipur, Police Station- Rangra Chowk, District- Bhagalpur.
7. Rupam Kumari, Daughter of Late Rajendra Prasad Yadav Resident of Village and Post Office- Bhawanipur, Police Station-Rangra Chowk, District- Bhagalpur.
8. Ajit Kumar, Son of Late Rajendra Yadav, Resident of Village and Post Office-Bhawanipur, Police Station- Rangra Chowk, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar x
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Director General of Police (Home Guard), Bihar, Patna.
5. The District Magistrate, Bhagalpur.
6. The District Commandant, Home Guard, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Adv.
For the Respondent/s : Mr. Standing Counsel 25

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner as well as

learned counsel for the Respondent – State.

2. This petition has been preferred by the petitioner



seeking following reliefs:

“I. For issuance of an appropriate writ/order/direction to the respondents to select the petitioners for their appointment on the post of Home Guard in pursuance of Advertisement No. 2/2011 after preparing the merit list of the applicants of the District Bhagalpur and district Level in pursuance of order dated 05.02.2021 passed in CWJC No. 11645 of 2019 confirmed in L.P.A. No. 645 of 2021 along with others L.P.A's and writ petition and further affirm by the Apex Court in SLP (C0 024421 of 2024.

II. For issuance of an appropriate writ/order/direction to the respondents to follow their own litigation policy as well as order passed by this Hon'ble Court in different cases by which it has been observed that candidates/person cannot be force to knock the door or the Hon'ble Court whose cases are situated on similar footing to the cases decided by the Hon'ble Court in favour of other similar candidates/persons.

III. For issuance of an appropriate



writ/order/direction that the District Administration, Bhagalpur has taken contrary steps for preparation of merit list for selection and recruitment on the post of Home Guard against the direction of the Hon'ble Court in C.W.J.C. No. 11645 of 2019 and L.P.A. No. 645 of 2021.

IV. For issuance of an appropriate writ/order/direction to prepare merit list for selection and recruitment on the post of Home Guard in pursuance of Advertisement No. 02/11 and to fill up the rest post after preparing district wise merit list."

3. It is submitted by the counsel for the petitioner 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 Bhagalpur, 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 CWJC No. 11645 of 2019 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 petitioner 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 petitioner it would be appropriate to dispose of the petition giving liberty to the petitioner 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 Co-ordinate 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)

Siddharth Soni/-

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