

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3263 of 2025

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1. Mithilesh Kumar Son of Bisundeo Mandal, Resident of Village Chuan, P.S.- Khaira, Block- Khaira, District- Jamui.
 2. Arvind Kumar Mandal, Son of Sanju Mandal, Resident of Village- Sakhikura, P.S. and Block- Khaira, District- Jamui.
 3. Pawan Kumar, Son of Naresh Mandal, resident of Village Chuan, P.S. and Block- Khaira, District- Jamui.
 4. Ranjeet Kumar, Son of Suresh Mandal, resident of Village Kendih, P.S. and Block- Khaira, District- Jamui.
 5. Niranjana Kumar, Son of Jagdish Mandal, resident of Village Patauna, P.S.- Malaypur, Block- Barhat, District- Jamui.
 6. Pramod Kumar, Son of Kapildeo Mandal, Resident of Village Patauna, P.S.- Malaypur, Block- Barhat, District- Jamui.
 7. Diwakar Kumar, Son of Santlal Mandal, resident of Village- Patauna, P.S.- Malaypur, Block- Barhat, District- Jamui.
 8. Narendra Kumar, Son of Surendra Mandal, resident of Village- Pradhanchak, P.S. and Block- Khaira, District- Jamui.
 9. Rekha Kumari, D/o- Udaykant Mandal, Wife of Shashi Kant Kumar Mandal, Resident of Village- Sakhikura, P.S. and Block- Khaira, District- Jamui.
 10. Bablu Kumar Mandal, Son of Kailash Mandal, resident of Village- Patauna, P.S.- Malaypur, Block- Barhat, District- Jamui.
 11. Ajit Kumar Sharma, Son of Kedar Sharma, resident of Village- Kairakado, P.S.- Khaira, Block- Khaira, District- Jamui.

... .. 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. That District Magistrate, Jamui, District- Jamui.
5. The Commandant Home Guard, Jamui, District- Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Indeshwari Prasad Mandal, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4
		Mr. Vatsal Verma, AC to SC-4

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER



2 24-02-2025

At the outset, learned Advocate for the petitioner seeks permission to make necessary correction in the name of the district mentioned in connection with respondent no. 5.

2. Let the same be done in course of the day.

3. Heard the parties.

4. 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.

5. 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 Jamui, the corrected final merit list has not been published as yet in district wise.

6. 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.

7. 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, Jamui 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.

8. For proper appreciation of the matter, the petitioners are at liberty to file a representation along with the order of this Court.

9. 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.

10. The writ petition stands disposed off.

(Harish Kumar, J)

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