

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5222 of 2025

1. Jitendra Kumar S/o Siyaram Sah, Resident of Village-Pain, P.S.-Sultanganj, District-Bhagalpur.
2. Chitranjan Kumar, S/o Ajit Sah, Resident of Village-Pain, P.S.-Sultanganj, District-Bhagalpur.
3. Brajesh Paswan, S/o Gajendra Paswan, Resident of Village-Maheshi, P.S.-Sultanganj, District-Bhagalpur.
4. Gopal Sah, S/o Sukdev Sah, Resident of Village-Maheshi, P.S.-Sultanganj, District-Bhagalpur.
5. Abhinash Kumar, S/o Brahamdev Yadav, Resident of Village-Pain, P.S.-Sultanganj, District-Bhagalpur.
6. Auran Yadav, S/o Upendra Yadav, Resident of Village-Balshar, P.S.-Amdanda, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Government of Bihar, Main Secretariat Building, Patna.
2. Home Secretary, Govt. of Bihar, Main Building, Patna.
3. The Director General of Police, Home Guard, Main Secretariat, Patna.
4. The District Magistrate cum Chairman, District Selection Committee, Bhagalpur, District-Bhagalpur.
5. The Commandant Home Guard, Bhagalpur, District-Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mandal, Adv.
For the Respondent/s : Mr. Government Pleader (7)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-04-2025

Heard the parties.

2. The petitioners are aspirants to the post of Home Guard in the district of Bhagalpur under Advertisement No. 02 of 2011; they have approached this Court seeking a direction upon the respondent authorities to fill up the remaining vacant posts of Home Guards in the district of Bhagalpur.



3. It is the contention of the petitioners that had the merit list been prepared as district wise, the petitioners would have been selected against the post of Home Guard. However, instead of issuing the merit list as district wise, the same has been prepared and issued on block wise basis, contrary to the advertisement. It is the contention of the petitioners that the issue came up for consideration before this Court in CWJC No. 11645 of 2019 along with other analogous cases, wherein the learned Single Judge vide its order dated 05.02.2021 has pleased to hold that the final merit list shall be published district wise, in respect of selection of Home Guard. The order passed by the learned Single Judge of this Court has been upheld by the learned Division Bench of this Court in LPA No. 645 of 2021 and other analogous cases vide order dated 20.06.2024.

4. On the other hand, learned Advocate for the State vehemently contended that the entire selection process in terms of Advertisement No. 02 of 2011 came to be finalized and given a complete quietus. However, if the petitioners have raised their grievance and seeking parity with identically situated persons, who have approached this Court in CWJC No. 295 of 2025, and their application came to be disposed off by this Court directing the competent respondent authority to consider the claim of the



petitioners, the present writ petition may also be disposed off in identical terms.

5. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties, the instant writ petition stands disposed off with a liberty to the petitioners to approach before the respondent no.4, preferably within a period of four weeks, from today.

6. In case, the petitioners approach before the respondent no.4 and file a detailed representation along with the order of this Court, the same shall be considered and disposed off by a reasoned and speaking order, in the light of the order of this Court as aforementioned, within a further period of twelve weeks.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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