

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5567 of 2025

1. Gopal Kumar Mahto Son of Baleshwar Mahto, Resident of village - Hari Nagar, P.S. and Block- Goradih, District- Bhagalpur.
2. Lalesh Kumar, Son of Nathe Lal Bihari, Resident of village - Gosaindaspur, P.S. and Block - Nathnagar, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Governemnt 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, Bhagalpur, District - Bhagalpur.
5. The Commandant Home Guard Bhagalpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Indeshwari Prasad Mandal
For the Respondent/s	:	Mr. Divit Vinod
		AC to SC - 26

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL JUDGMENT

Date : 09-04-2025

Heard learned counsel for the petitioners and
learned counsel for the respondents-State.

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

***I. For issuance of appropriate writ /
writs, order / orders, direction /
directions to respondents to publish
the merit list district 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 prepare provisional list as well as merit list on district wise not block wise.

II. For issuance of direction to the respondents to fulfill all the vacant post under the advertisement no. 2 of 2011.

III. 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.

IV. For issuance of any other appropriate writ\writs, order\orders, direction \ directions, for which petitioner may deemed entitled under the fact and circumstances of the case.

3. It is submitted by the counsel for the petitioners 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 of 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 submits that since the order dated 05.02.2021 (supra) has attained its finality, the case of the petitioners is also squarely covered with the direction given by the Co-ordinate Bench of this Court in the said case i.e. C.W.J.C. No. 11645 of 2019.

4. Considering the above submissions made by the counsel for the petitioners, it would be appropriate to dispose of the petition giving liberty to the petitioners to firstly make their representation before the respondent no. 4. Accordingly, the petition is disposed of. The 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 representation/application.

5. With the aforesaid observation, this writ petition
is disposed of.

(Arvind Singh Chandel , J)

shailendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.04.2025
Transmission Date	NA

