

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14175 of 2012

1. Sudhir Kumar Prasad Son Of Sri Girija Prasad Resident Of Village Maner Pali, Police Station Baniyapur, District Chapra
2. Uday Bhan Pandey Son Of Sri Bhup Narayan Pandey Resident Of Village Kharika Tola Police Station Gutani, District Siwan
3. Birendra Prasad Yadav Son Of Sri Satya Narain Yadav Resident Of Village Kardaspur, Police Station Gutani, District Siwan
4. Rama Shankar Ram Son Of Sri Ram Briksha Ram Resident Of Village Krishna Pali, Police Station Daroali, District Siwan
5. Arvind Kumar Ojha Son Of Sri Kusum Ojha Resident Of Village Badhiya Police Station Hussainganj District Siwan
6. Ravi Shankar Rai Son Of Sri Sukhdeo Rai Resident Of Village Ghoruwa, Police Station Guthani, District Siwan
7. Santosh Kumar Singh Son Of Late Ram Janam Singh Resident Of Village Jamsikari, Police Station Mufassil, District Siwan
8. Basistha Narain Singh Son Of Late Bachha Prasad Singh Resident Of Village Bhalwa, Police Station Barariaya District Siwan
9. Ajit Kumar Sharma Son Of Sri Bhrigunath Sharma Resident Of Village Hathaura, Police Station Hussainganj, District Siwan
10. Ghanshyam Dwivedi Son Of Sri Shiv Nandan Dwivedi Resident Of Village Ratipur, Police Station Hussainganj, District Siwan
11. Aslam Ali Son Of Kyamuddin Ahmad Resident Of Village Sarsar, Police Station Ashaw District Siwan
12. Satyendra Prasad Singh Son Of Sri Dina Nath Singh Resident Of Village Nadauwa, Police Station Bhagwanpur Hat, District Siwan
13. Ashwani Kumar Rai Son Of Late Ram Hosiyar Rai Resident Of Village Khamaura, Police Station G.B. Nagar Tarwara, District Siwan
14. Harendra Ram Son Of Late Lakhraj Ram Resident Of Village Majhwalia, Police Station Ashaw, District Siwan
15. Abinash Prasad @ Krishna Prasad Son Of Bhola Prasad Resident Of Village Bhagaura Police Station Daraoala District Siwan
16. Bishundeo Yadav Son Of Late Hari Shankar Yadav Resident Of Village Bhitauli Post Office Patar, Police Station Assaw District Siwan
17. Barrister Yadav Son Of Subh Narain Yadav Resident Of Village Bali Tola Hatwa, Police Hussainganj, District Siwan
18. Lal Babu Yadav Son Of Late Indrashan Yadav Resident Of Village Habib Nagar, Hatta Ke Toal P.O. Habib Nagar District Siwan
19. Raman Yadav Son Of Late Bishwanath Yadav Village Hatuari Tola Ram Nagar P.S. Chapiya P.S. Hussainganj District Siwan
20. Ramaji Ram Son Of Jai Ram Village Haata Hakma P.S. Andar District Siwan

... .. Petitioner/s

Versus



1. The State Of Bihar and Ors Government Of Bihar, Patna
 2. The Chief Secretary, Government Of Bihar, Patna
 3. The Director General Of Police, Bihar, Patna
 4. The Secretary, Department Of Home, Government Of Bihar, Patna
 5. The Joint Secretary, Department Of Home, Government Of Bihar, Patna
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kr. Sinha- 2, Adv. Mr. Binay Kant Mani Tripathi, Adv. Ms. Ajita, Adv.
For the State	:	Mr. S.D. Yadav, AAG- 9 Mr. Braj Bhushan Mishra, AC to AAG- 9

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 17-03-2025 Learned Counsel for the petitioners and Learned
Counsel for the State are present.

2. Learned Counsel for the petitioners submits that the present writ petition has been filed directing the respondent to appoint the petitioners as constable under Bihar Police under the reserved category meant for Home Guard Jawan taking into consideration that still vacancy is existing to be filled up relating to Advertisement No. 01 of 2004 in which the Physical Test was conducted by the Selection Committee and the petitioners were found fit but appointment could not be made and now the petitioners become over age for appointment in regular service of the Government. Counsel further submits that the case of similarly situated persons has been entertained by this Hon'ble Court in CWJC No. 6995 of 2019 with other analogues cases decided on 19.07.2024. Counsel further submits that a direction



may be given to State to file the counter affidavit.

3. Counsel for the State submits that the case of CWJC No. 6995 of 2019 are on a different footing

4. After hearing the parties, it transpires to this Court that the present case has been pending since 2012, and demanding a counter affidavit shall not serve any purpose.

5. Hence, the present writ petition stands disposed off, directing the petitioners to file a fresh representation, before the Director General of Police, Bihar, Patna, (respondent No. 3), who shall look into the matter and pass an order on the representation, considering that their cases are duly covered under the order passed in CWJC No. 6995 of 2019.

6. The Director General of Police, Bihar, Patna, (respondent No. 3), is hereby directed to pass a reasoned and speaking order on the representation filed by the petitioners in light of the Clause 4.C of the Bihar State Litigation Policy, 2011, within 90 days from the date of filing the fresh representation.

(Dr. Anshuman, J.)

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