

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9427 of 2025

1. Ajeet Kumar Yadav, son of Dhanraj Yadav, resident of Parsa Bishanpur, Bisshanpur, District- Darbhanga, Bihar- 847337.
2. Amarnath Kumar Roy, son of Suresh Roy, resident of Ward No. 3, Vill-Kharaj, P.O.-Chhachha, Kheraj Dhuria, District- Dharbhanga, Bihar-847337.
3. Ramesh Kumar Yadav, son of Tej Narayan Yadav, resident of Sonaki, Chhabaila, Darbhanga, Bihar- 846009.
4. Abdhesh Kumar Yadav, son of Suresh Yadav, resident of Balha, Bhuskaul, Darbhaga, Bihar-846007.
5. Ravindra Kumar Yadav @ Ravindra Kumar, son of Ram Chandra Yadav, resident of Kakarghatti, Bhuskaul, Darbhanga, Bihar-846007.
6. Gopal Paswan, son of Ram Pukar Paswan, resident of Vill- Chirmara, P.O.- Bhuskaul, Darbhanga, Bihar-846007
7. Manish Kumar @ Manish Kumar yadav, son of Nandu Yadav, resident of Gaushaghat, Mausinpur, Saramohaampur, Darbhanga, Bihar-846007.
8. Mahesh Kumar Yadav, son of Suresh Yadav, resident of 8, Balha, Balha, Ramsala, Darbhanga, Bihar- 846007.
9. Prabhat Kumar Yadav, son of Rajendra Yadav, resident of Vill and P.O. - Naina ghat, P.S. - Sadar, District- Darbhanga, Bihar- 847239.
10. Dhiraj Kumar Mishra, son of Shiv Shankar Mishra, resident of Village-makhnahi. Post-Bariaul, District- Darbhanga, Bihar-846005.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Ministry of Home Affairs, Government of Bihar, Patna.
2. The Additional Chief Secretary, Ministry of Home Affairs, Government of Bihar, Patna.
3. The Director General cum Commander General, Bihar Home Defence Corps and Fire Services, Sardar Patel Bhawan, Bailey Road, Patna.
4. The District Magistrate cum Collector, Darbhanga, Laheriasari, Darbhanga, Bihar.
5. Superintendent of Police, Darbhanga, Laherisaria, Darbhanga, Bihar.
6. The District Commandant (Home Guard Corps), Darbhanga, Laherisarai, Darbhanga, Bihar.
7. The District Welfare Officer, Darbhanga, Laherisarai, Darbhanga, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gautam Kejriwal, Advocate
Mr. Alok Kumar Jha, Advocate
Mr. Atal Bihari Pandey, Advocate



For the Respondent/s : Mr. Mukund, Advocate
Mr. Government Pleader (11)
Mr. K.N. Jha, AC to GP-11

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-06-2025 Heard Mr. Gautam Kejriwal, learned Advocate for the petitioner and Mr. Krityanand Jha, learned Advocate for the State.

2. The petitioners before this Court are aspirant to the post of Home Guard pursuant to Advertisement No. 02/2011 dated 16.07.2011. The grievance of the petitioners are in a limited bound that on account of inaction of the respondent authorities in preparing the merit list as block-wise instead of district-wise, they have been ousted from the zone of consideration. However, the issue regarding preparation of merit list as block-wise in terms of the subjected advertisement came to be questioned before a Bench of this Court in C.W.J.C. No. 11645 of 2019, wherein the Court has categorically held that the final merit list is required to be prepared on the basis of district-wise and not block-wise. The issue was brought to the learned Division Bench on a challenge being made by the State of Bihar; and it has given the quietus by affirming the order of the learned Single Judge.

3. It is the specific contention of the petitioner that the respondent authorities having advertised two of the vacancies



for Darbhanga District for the post of Home Guard have only filled up 207 posts (163 post on their merit and 44 post filled up pursuant to the order of this Court dated 21.02.2025 in C.W.J.C. No. 1706 of 2017) in different categories leaving 73 vacancies unfilled.

4. At this juncture, learned Advocate for the State referring to the order passed by a Bench of this Court in C.W.J.C. No. 1706 of 2017 has submitted that in the said case the Court has made it clear that the relief has been extended only because of the fact that the petitioners of the said writ petition has already moved before this Court earlier. The Court has cautioned that no new candidates who file writ petition afresh shall be covered under this decision.

5. Be that as it may, considering the submissions set forth, especially the decision rendered by the learned Division Bench of this Court in L.P.A No. 645 of 2021 disposed off on 20.06.2024, this Court deems it fit and proper to dispose off the writ petition with a liberty to the petitioners to approach the District Magistrate-cum-Collector, Darbhanga, who shall consider the case of the petitioners afresh in the light of the decision rendered by the Division Bench in L.P.A No. 645 of 2021 preferably within a period of 12 weeks' from the date of



receipt/production of a copy of this order.

6. Suffice it to observe that in case identically situated persons have been accorded the benefit by revisiting the merit list in accordance with district-wise, the similar benefit be accorded to the petitioners, if they are otherwise found fit.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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