

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12439 of 2022

1. Sanjeev Kumar Rawat Son of Sri Krishna Rawat, Resident of Village and P.O.-Tihiya, P.S.-Khaira, District-Jamui 811305.
2. Ramchandra Rawat, son of Sri Kapildev Rawat, Village-Katauna, P.O.-Mallaypur, P.S.-Mallayapur, District-Jamui.
3. Ranbeer Kumar Rao, son of Sri Ganesh Prasad Rao, resident of Village-Katauna, P.O.-Mallaypur, P.S.-Mallayapur, District-Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Home Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Home Government of Bihar, New Secretariat, Patna.
3. The Director General of Police Home Guard, Sardar Patel Bhawan, Baily Road, Patna.
4. The District Magistrate, Jamui.
5. The District Magistrate cum Chairman District Selection Committee Jamui.
6. The Superintendent of Police, Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Advocate Mr. Manini Jaiswal, Adv. Mr. Manas Rajdeep, Adv. Mr. Subham Kumar Upadhyay,
For the Respondent/s	:	Mr. Manoj Kumar, AC to GP 4

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 01-07-2025

Heard Mr. Sanjeev Kumar Mishra, learned Senior
Advocate for the petitioners and Mr. Manoj Kumar, learned
Advocate for the State.

2. The petitioners before this Court are aspirants for the
post of District Home Guard in connection with Advertisement
No. 1 of 2009. On being aggrieved with Memo No. 259 dated



15.03.2022 issued under the signature of the respondent District Magistrate-cum- Chairman District Selection Committee, Jamui, whereby the claim of the petitioners for their selection to the subjected post came to be turned down; they have preferred the present writ petition.

3. The contention of the petitioners is confined to the limited bound. On account of illegal preparation of merit list on the basis of Block-wise instead of District-wise, the petitioners have been ousted from the zone of consideration. Though the issue came to be settled by a coordinate Bench of this Court in ***CWJC No. 11645 of 2019 (Manjay Kumar & Anr v. The State of Bihar & Ors)***, wherein this Court has directed the respondents to publish the provisional and final merit list on the District-wise basis and not on Block-wise. The afore noted order came to be affirmed in LPA No. 645 of 2021. The matter also travelled upto the Hon'ble Supreme Court in SLP No. 24421 of 2024 which also stood dismissed on 18.10.2024.

4. Referring to the afore noted judgment, it is contended that the claim of the petitioners has never been considered in the right perspective, moreover the identically situated persons, who have approached this Court for identical grievance, their cases have been disposed off with a liberty to



approach before the District Magistrate to consider their cases in terms of the decision rendered in the case of CWJC No. 11645 of 2019 duly affirmed by the learned Division Bench of this Court and settled upto the Apex Court. The petitioners shall also be satisfied if their claims shall be reconsidered by the concerned District Magistrate.

5. Mr. Manoj Kumar, learned Advocate for the State refuted the contention of the petitioners and submitted that the claims of the petitioners are not identical to those of CWJC No. 11645 of 2019. Moreover, the petitioners appeared in the physical test but could not succeed; though other persons securing lesser marks in other Blocks were held to be successful. It is further contended that out of the sanctioned strength earmarked for the district, 24 remained vacant and decision has been taken to merge the same in subsequent advertisement. The petitioners being aggrieved have earlier filed CWJC No. 24372 of 2019 and the same was disposed of directing the respondent to consider the case of the petitioners and take a final decision. The claim of the petitioners was duly considered but did not find favour.

6. Considering the limited grievance of the petitioners, this Court in order to give a quietus to the litigation deems it



appropriate to dispose off the writ petition with a liberty to the petitioners to approach before the District Magistrate, Jamui, preferably within a period of four weeks from today along with the necessary orders/documents in support of their claim. In case such representation is filed within the period stipulated, the same shall be considered and disposed off by speaking order within a further period of 12 weeks.

7. The writ petition stands disposed off with the liberty aforesaid.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	02.07.2025
Transmission Date	

