

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15579 of 2013

Ravi Kumar S/O Ram Ashish Singh Resident Of Village- Gularbaga, P.S-
Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director General- Cum- Inspector General, Bihar, Home Guard, Police,
Patna.
3. The District Magistrate, Siwan.
4. The Superintendent of Police, District- Siwan.
5. The District Commandant Home Guard, District- Siwan.
6. The District Welfare Officer, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate
For the Respondent/s : Mr. Abhay Shankar Jha, Advocate
Smt. Anuradha Singh, SC 21

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

11 10-10-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant writ application
for the following reliefs:

*“i) For a direction to the respondents to appoint
the petitioner as a Home Guard in the District of
Siwan in view of the fact that the petitioner was*



after due selection process petitioner was selected for Home-Guard and his name was appeared in waiting list.
(ii) For restraining the respondents not to select any further Home Guard in Siwan District on the basis of Advertisement published as Advertisement no. -1/09 in Dainik Jagaran dt; till the appointment is made in accordance with earlier Advertisement no. 1/2006.
(iii) For any other relief / reliefs which the petitioner is entitled in the fact and circumstances of the case.”

3. The case of the petitioner in brief is that the respondents having come out with Advertisement no. 1 of 2006 for appointment on the post of Home Guards in the district of Siwan, the petitioner filed his application, participated in the selection process and was included in the list of candidates from which 148 persons were selected and 24 kept in the wait list.

4. It is submitted by learned counsel for the petitioner that the petitioner was not appointed inspite of vacancies being available. Further reliance has been placed on the order dated 18.11.2010 passed by this Court in CWJC no. 5289 of 2010 wherein the case of the petitioners therein was disposed of directing the respondents to consider their case in their respective categories on any non-joining post of the 148



vacancies. Learned counsel for the petitioner submits that the case of the petitioner be disposed of in similar terms as the order dated 18.11.2010 passed in CWJC no.5289 of 2010.

5. The application is opposed by learned counsel appearing for the respondents. It is submitted by learned counsel that the instant application arises out of the process of appointment on the post of Home Guard pursuant to Advertisement no.1 of 2006. Not only the process of selection with respect to the said advertisement is complete, the vacancies, if any which remained available were clubbed and the respondents came out with another Advertisement no.1 of 2009, the process of which has also been completed long ago. It is submitted that no relief can be granted to the petitioner as he has come to this Court in the year 2013 and the case be dismissed on the ground of delay and laches.

6. Heard learned counsel for the parties and perused the material on record.

7. The facts not in dispute are that case of the petitioner arises out an application for appointment of Home Guard pursuant to Advertisement no.1 of 2006. The process of the appointment pursuant to the said advertisement having been completed, the respondents proceeded with filling up the



subsequent vacancies by another Advertisement no.1 of 2009, which as submitted by learned counsel for the respondents, process of this has also been completed long ago.

8. So far as the order dated 18.11.2020 (Annexure-6) relied upon by learned counsel for the petitioner is concerned, the same is of no assistance to the petitioner. On perusal of the said order it transpires that pursuant to the process of advertisement of Advertisement no.1 of 2006, while 148 persons were appointed 24 persons were kept in the wait list. The validity of the wait list was for a period of one year. While the vacancies still existed and the process of the appointment as a result of Advertisement no.1 of 2009 had till then not been completed, as a result of the non-action on part of the respondents in not filling up of the left over vacancies from the 24 candidates in the wait list, that the petitioners of the said writ application had come to the Court and as such the said application had been disposed of directing the respondent to consider the case of the petitioners therein in the respective categories of any non-joining post of those 148 vacancies.

9. So far as the petitioner herein is concerned, not only the process of the Advertisement no.1 of 2006 has been completed but also the process of the subsequent Advertisement



no. 1 of 2009 also stands completed.

10. In view of the facts and circumstances stated herein above, the Court finds no merit in the instant application.

11. The application is dismissed.

(Partha Sarthy, J)

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