

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15475 of 2022

-
-
1. Santosh Kumar Son of Sri Bijendar Prasad Yadav Resident of Village-Herudiara, Dakra, P.S.- Naya Ramnagar, District- Munger, Bihar.
 2. Mukesh Kumar Mandal Son of Sri Suresh Mandal Resident of Village-Kumarpur, P.S.- Bariarpur, District- Munger, Bihar.
 3. Navnit Kumar Son of Sri Krishna Singh Village and P.O.- Bhadaura, P.S.- Haveli Kharagpur, District- Munger, Bihar.
 4. Pappu Kumar Son of Sri Mahesh Prasad Yadav Resident of Village- Fulka, P.S.- Jamalpur, District- Munger, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The District Magistrate cum Chairman Selection Committee, Munger.
3. The Superintendent of Police cum member, District Selection Committee, Munger.
4. The Sub-Divisional Officer, Sadar Munger.
5. The Additional Collector, Munger.
6. The District Welfare Officer cum member District Selection Committee, Munger.
7. The Deputy Collector, Establishment Section, Munger.
8. The Senior District Commandant cum member secretary, District Selection Committee, Bihar Home Guard, Munger.
9. Kumar Saurav son of Rajendar Prasad Yadav resident of village and P.O.-Singhia, P.S.- Nayaram Nagar, District- Munger.
10. Kushboo Kumari D/o- Bhuto Sharma resident of village Kumarpur, P.S.- Bariarpur, District- Munger.
11. Shobha Kumari D/o- Bateshwar Tanti resident of village Harkund, P.O.- Parsendo, P.S. Haveli Kharagpur, District- Munger.
12. Kumari Bhavana Verma W/o Manoj Kumar Singh resident of village Chandanpura, P.S.- Nayaram Nager, District- Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra, Adv.
For the Respondent/s : Mr. Deepak Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 18-03-2025 Heard the parties.



2. The petitioners are aggrieved with the merit list of the Home Guards duly prepared and published in terms of Advertisement No. 2/2011, which has been prepared on the basis of block wise instead of district wise, as warranted in the advertisement published.

3. Learned Advocate for the petitioners referring to the averments made in the writ petition has contended that the issue with regard to the preparation of merit list, stood settled by this Court in C.W.J.C. No. 11645 of 2019 and further in CWJC No. 6654 of 2021 by a Bench of this Court, wherein this Court has directed the respondents to publish provisional and final merit list on the district wise basis. The order of the learned Single Judge was put to challenge in L.P.A. No. 645 of 2021 by the State of Bihar and Others, which also came to be dismissed on 20.06.2024. It has been apprised to this Court that the matter travelled up to the Apex Court in SLP No. 24421 of 2024, which also stood dismissed on 18.10.2024. It is the contention of the petitioners that despite the issue settled up to the Apex Court, the respondent authorities are sitting tight over the matter and till date, they have not revised the final merit list in terms of the order of this Court passed in C.W.J.C. No. 11645 of 2019. Learned Advocate for the petitioners further contented that had



the panel been prepared on district wise basis, the petitioners would have better position than the private respondents. It is also contended that the posts for the Home Guard are still vacant in the district of Munger against which, the petitioners are very well be adjusted.

4. Learned Advocate for the State dispelling the aforementioned contention has urged before this Court that the issue is required to be considered at the level of the competent authority, if the law has already stood settled by this Court.

5. Having considered the submissions advanced on behalf of the respective parties, this Court finds it appropriate to direct the respondent no. 2, the District Magistrate-cum-Chairman District Selection Committee, Munger, to consider the claim of the petitioners in terms of the decision rendered in C.W.J.C. No. 11645 of 2019.

6. For proper appreciation of the matter, the petitioners are at liberty to file a representation along with the order of this Court. In case, such a representation is filed preferably within a period of two weeks from today, the respondent no. 2, shall consider the claim of the petitioners and take appropriate action in the light of the order passed by this Court in C.W.J.C. No. 11645 of 2019 within a further period of



twelve weeks.

7. The writ petition stands disposed off.

(Harish Kumar, J)

shivank/-

U			
---	--	--	--

