

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1038 of 2024

In
Civil Writ Jurisdiction Case No.13710 of 2024

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Anil Kumar Yadav Son of Shiv Mangal Yadav Resident of Village- Dorapur,
Police Station- Uchkagaon, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Principal Secretary, Home Department, Government of Bihar, Patna.
4. The District Magistrate-cum-Chairman, District Selection Committee
Gopalganj, District- Gopalganj.
5. The Superintendent of Police, Gopalganj, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Umesh Kumar Singh, Adv Mr. Mukesh Kumar, Adv
For the State	:	Mr. P.K. Verma, AAG-3 Mr. Sanjay Kumar Ghosarvey, AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 07-10-2025 Appellant has assailed order of the learned Single

Judge dated 10.09.2024 passed in CWJC No. 13710 of 2024.

The appellant had a cause of action in the year 2017.

2. Be that as it may, one Smt. Krishnavati Devi and
Ors, filed CWJC No. 159 of 2018 and connected matters in
which appellant Anil Kumar Yadav is stated to have filed
interlocutory application to come on record as a co-petitioner.
However, no orders have been passed by the learned Single



Judge. In such circumstances, appellant had a remedy of filing civil review before the learned Single Judge insofar as recalling the order passed in CWJC No. 159 of 2018 dated 13.08.2024 disposed of alongwith the connected matters. On the other hand, for the first time, he has filed CWJC No. 13710 of 2024. It was dismissed. Hence, the present petition.

3. On more than one count, the grievance of Anil Kumar Yadav cannot be redressed for the reasons that he had a cause of action in the year 2017. No doubt, he had invoked the remedy of filing intervening application to the extent of co-petitioner. However, his application was not decided by the learned Single Judge in CWJC No. 159 of 2018 and connected matters. Therefore, he had a remedy of filing civil review and he has not exhausted such remedy. Thereafter, he has slept over the matter for about six years and invoked writ jurisdiction in filing CWJC No. 13710 of 2024. In the meanwhile, final select list of Home Guard was notified and it is learnt that it has been operated w.e.f. 04.09.2017, in such circumstances, appellant Anil Kumar Yadav was required to implead such of those contesting respondents who were selected and appointed to the post of Home Guard as necessary and proper parties. On these count, the appellant has not made out a case so as to interfere



with order of the learned Single Judge. Accordingly, LPA stands dismissed.

4. Pending Interlocutory application(s), if any, stands disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

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