

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.324 of 2025**

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Mala Kumari Wife of Sri Bhupendra Prasad Singh Resident of Mohalla-  
Gangjala, Ward No.- 15, P.O. Saharsa Block Kahara, P.S.- Saharsa District-  
Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Director General of Police, Home Guards and Fire Fighting, Bihar, Patna.
3. The Commandant, Bihar Home Guards 9HQ, Patna.
4. The District Magistrate cum the Chairman, District Selection Committee, Saharsa.
5. The Senior District Commandant, Bihar Home Guards, Saharsa.
6. The Circle Officer, Kahara Circle, Saharsa.
7. Runa Kumari, Wife of Ramdeo Sah Resident of Bajrangi Tola, Ward No.- 28, P.S.- Saharsa, District- Saharsa.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Harsh Anuj, Advocate           |
| For the Respondent/s | : | Mr. Vinay Kirti Singh, GA-2        |
|                      |   | Mr. Sumant Kumar Singh, AC to GA-2 |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      21-01-2025                      Heard Learned Counsel for the petitioner and Learned  
Counsel for the State.

2. The present writ petition has been filed for quashing the order contained in Memo No.1315 dated 27.09.2024 (Annexure-P/10) and further directing the respondent authority to accept the joining of the petitioner.

3. Learned Counsel for the petitioner submits that the



petitioner has appeared for selection of Home Guards in respect of Advertisement No.2 of 2011 in which she has finally selected but not called for Buniyadi Training, then the petitioner has filed one representation on 12.09.2022 and thereafter Annexure-P/9 through registered post dated 30.12.2023 in which she has intimated that there are other persons in the same district who applied the form at two places but they were permitted to join and petitioner was not permitted to join. Learned Counsel submits that after filing the representation through registered post on 30.12.2023, order has been passed which has been communicated to the petitioner vide Memo No.1315 dated 27.09.2024 by which his appointment has been cancelled.

4. Learned Counsel for the State submits that the petitioner has violated the terms of advertisement and filled up the form at two different places. It is due to this reason her appointment has been cancelled.

5. In the light of the submissions, it transpires to this Court that Annexure-P/10 Memo No.1315 dated 27.09.2024, which was passed on the representation filed by the petitioner, there is no finding related to those persons who were similarly situated but their case has been considered and petitioner's case has been rejected. It transpires to this Court that Annexure-P/10



has been passed violating the natural justice and, therefore, it shall not be acted upon till respondent No.5 shall not consider the petitioner's representation (Annexure-P/9) with regard to petitioner and other similarly situated persons calling all of them within 90 days from the date of filing of the representation along with a copy of this order. Till then the order communicated vide Memo No.1315 dated 27.09.2024 (Annexure-P/10) shall be kept in abeyance. Accordingly, this writ petition is hereby allowed.

**(Dr. Anshuman, J)**

Mkr./-

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