

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.240 of 2025

1. Phantush Kumar Son of Niranjan Prasad, resident of Village- Khutaha, P.S. Lodipur, Block- Goradih, District- Bhagalpur.
2. Munna Kumar Son of Yogendra Prasad resident of Village- Khutaha, P.S.- Lodipur, Block- Goradih, District- Bhagalpur.
3. Amardeep Yadav Son of Nageshwar Yadav resident of Village- Naya Tola Agarpur, P.S.- Lodipur, Block- Goradih, District- Bhagalpur.
4. Barun Kumar Son of Sri Bachchu Mandal resident of Village- Rampurdih, P.S.- Lodipur, Block- Goradih, District- Bhagalpur.
5. Guddu Das Son of Shairu Das resident of Village- English Chichroun, P.S.- Akbar Nagar, Block- Sultanganj, District- Bhagalpur.
6. Raviranjana Kumar Son of Phakeshwar Prasad resident of Village- Khutaha, P.S.- Lodipur, Block- Goradih, District- Bhagalpur.
7. Subhash Kumar Son of Moti Lal Mandal resident of Village Olapur, P.S. and Block- Pirpaiti, District- Bhagalpur.
8. Ajay Kumar Thakur Son of Sobhit Thakur resident of Village- Koili, P.S. and Block- Jagdishpur, District- Bhagalpur.
9. Umesh Kumar Mandal Son of Babulal Tatni resident of Village- Koili, P.S. and Block Jagdishpur, District- Bhagalpur.
10. Santosh Kumar Das @ Santosh Kumar Son of Makeshwar Das resident of Village and P.S. and Block- Goradih, District- Bhagalpur.
11. Mritunjay Kumar Son of Chandar Prasad resident of Village- Chakfatma, P.S. and Block- Jagdishpur, District- Bhagalpur.
12. Subhash Mandal Son of Ganesh Mandal resident of Village Dhoura, P.S. and Block- Jagdishpur, District- Bhagalpur.
13. Mantu Kumar Gupta Son of Bhim Prasad Gupta resident of Village- Bakharpur Purbi, P.S. and Block- Pirpaiti, District- Bhagalpur.
14. Niraj Kumar Son of Naresh Jha resident of Village- Kachhariya, P.S.- Budhchak, Block- Kahalgaon, District- Bhagalpur.
15. Shashidhar Kumar Son of Kokay Yadav resident of Village and P.S.- Budhchak, Block- Kahalgaon, District- Bhagalpur.
16. Bablu Kumar Son of Anandi Prasad resident of Village- Chakfatma, P.S.- Jagdishpur, District- Bhagalpur.
17. Kumod Kumar Son of Ganesh Yadav resident of Village- Ranidiyara, P.S.- Bhudhchak, Block- Kahalgaon, District- Bhagalpur.
18. Ramjeet Kumar Singh Son of Shiv Narayan Singh resident of Village- Ranidiyara, P.S.- Bhudhchak, Block- Kahalgaon, District- Bhagalpur.
19. Santosh Kumar Yadav Son of Bindeshwari Prasad Yadav resident of Village- Baghmara, P.S.- Lodipur, Block- Goradih, District- Bhagalpur.
20. Bihari Kumar Yadav Son of Prasadi Yadav resident of Village- Bhagalpura, P.S. and Block- Kahalgaon, District- Bhagalpur.



21. Rakesh Ranjan @Rakesh Ranjan Shah Son of Manohar Sah resident of Village- Khutaha, P.S.- Lodipur, Block- Goradih, District- Bhagalpur.
22. Pankaj Kumar Son of Ramlagan Yadav resident of Village- Khutaha, P.S.- Lodipur, Block-Goradih, District- Bhagalpur.
23. Nagendra kumar Son of Gultah Yadav resident of Village- Van Gaon, P.S.- Lodipur, Block-Goradih, District- Bhagalpur.
24. Shri kant yadav Son of Kamal Kishor Yadav resident of Village- Mal Moharpur, P.S and Block- Goradih, District- Bhagalpur.
25. Rohit Raj Son of Muni Lal Rai resident of Village- Tardiha Gonu Dham, P.S and Block- Jagdishpur, District- Bhagalpur.
26. Kuldip Kumar Ray Son of Ludhan Ray resident of Village- Tardiha Gonu Dham, P.S and Block-Jagdishpur, District- Bhagalpur.
27. Ram Kumar Son of Kumcho Prasad resident of Village- Khutaha, P.S Lodhipur- Goradih, District- Bhagalpur.
28. Ravi Kumar Son of Kunni Prasad Yadav resident of Village Khutaha, P.S Lodhipur- Goradih, District- Bhagalpur.
29. Santosh yadav Son of Sita Ram Yadav resident of Village- Tetarhar, P.S Kajraili, Block Nath nagar- District- Bhagalpur.
30. Virendra Kumar Son of Shailendra Kumar Yadav resident of Village and PS Kajreli Block- Nath Nagar, District- Bhagalpur.
31. Anjesh Kumar Son of Barun Prasad resident of Village- Khutaha, P.S Lodhipur, Block- Goradih, District- Bhagalpur.
32. Sudarshan Kumar Son of Lakhan Lal Yadav resident of Village- Khutaha, P.S Lodhipur, Block- Goradih, District- Bhagalpur.
33. Gautom Kumar Son of Kapildeo Yadav resident of Village- Kamalchak, P.S Ishipur, Block- Pirpaiti, District- Bhagalpur.
34. Prem pankaj Singh s/o Shambhu Prasad Singh r/o village SURmaniya, PS Amdanda, Block Sonhola, Distrcit Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through home secretary government of Bihar main secretariat Patna.
2. The home secretary government of Bihar main secretariat Patna.
3. The director general of police, home guard main secretariat Patna
4. That district magistrate Bhagalpur, district Bhagalpur
5. The commandant home guard Bhagalpur, district Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Indeshwari Prasad Mandal, Adv. Mr. Chandrakant, Adv.
For the Respondent/s	:	Mr. Addl. Advocate General (03) Mr. Sanjay Kumar Ghorsarvey, Adv.



CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner as well as
learned counsel for the Respondent – State.

2. This petition has been preferred by the petitioner
seeking following reliefs:

*I. For issuance of appropriate writ/writs,
order/orders, direction/directions to respondent to
publish the merit list district wise instead of block wise
and conduct the process of selection as per rule
provided in advertisement no 2 of 2011 and also to
direct respondents to prepared provisional list as well
as merit list on district wise not block wise.*

*II. For issuance of direction to the
respondent to fulfill all the vacant post under the
advertisement no 2 of 2011.*

*III. For issuance of appropriate writ/writs,
order/orders, holding that all those merit list prepared
on block level are contrary to the rule and as such are
liable to cancel.*

*IV. For issuance of any other appropriate
writ\writs, order\orders, direction\directions, for which
petitioner may deemed entitled under the fact and
circumstance of the case.*



3. It is submitted by the counsel for the petitioner that pursuant to the advertisement no. 02/11 published on 30.07.2011 petitioners have participated in the recruitment process. According to the counsel the recruitment was required to be made district wise however, when the final list was declared it appears that the merit list has been prepared on the basis of block level which is contrary to the advertisement. He further submits that the petitioners herein are the residents of district Bhagalpur, if the final list was declared district wise then all of them would have been selected. He further submits that some of the affected candidates approached this Court in CWJC No. 11645 of 2019 and this Court vide its Order dated 05.02.2021 allowed the petition and directed the respondents that they should publish the merit list on the basis of district wise and not the block wise. He further submit that since the Order dated 05.02.2021 (supra) has attained finality therefore, the case of the petitioner is also squarely covered with the direction given by the Co-ordinate Bench of this Court in the said case i.e. CWJC No. 11645 of 2019.

4. Considering the above submissions made by the counsel of the petitioner it would be appropriate to dispose of the petition giving liberty to the petitioner to firstly make their



representation before the respondent no. 4, accordingly, the petition is disposed of, petitioners are directed to firstly make their representation before the respondent no. 4 raising all grounds which they raised in this writ petition within four weeks from today and in turn the respondent no. 4 is also directed to consider and decide the same taking into consideration the observation made by the Coordinate Bench of this Court in the case of CWJC No. 11645 of 2019 (supra) and decide the same as early as possible probably within 60 days from the submission of such applications.

5. With the aforesaid observation, this writ petition is disposed of.

(Arvind Singh Chandel , J)

Siddharth Soni/-

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