

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.883 of 2025

1. Kanhay Kumar Son of Chunchun Yadav, resident of village Nayachak, P.S. Jagdishpur, District-Bhagalpur.
2. Mukesh Kumar, Son of Dhuri Yadav, resident of village-Nayachak, Makhna, Baluchak, P.S. Jagdishpur, District-Bhagalpur.
3. Manoj Kumar Yadav, Son of Sri Devendra Yadav, Resident of village-Bari Ibrahimpur, P.S. Sabour, District-Bhagalpur.
4. Jyotish Kumar, Son of Shri Chamak lal Pandit, Resident of Jyoti Bihar Sewak Nagar, P.S. Zero Mile Block (Sabour), District Bhagalpur.
5. Vikram Kumar, Son of Yadunandan Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
6. Bivash Kumar, Son of Yadunandan Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
7. Ram Kumar, Son of Akhileshwar Prasad Yadav, Resident of village-Koeli Khutaha, P.S. Jagdishpur, District-Bhagalpur.
8. Sanjay Yadav, son of Ram Singhasan Yadav, Resident of village-Madhuwan Tola, P.S. Pirpainti, District-Bhagalpur.
9. Rupesh Kumar, Son of Gena Yadav, Resident of Gonu Dham Tardiha, P.S. Jagdishpur, District-Bhagalpur.
10. Mritunjay Kumar, son of Rudra Narayan Yadav, resident of village-Miran chak, P.S. Lodipur (Goradih), District-Bhagalpur.
11. Manoj Kumar, Son of Bodhu Yadav, Resident of village-Bangaon Khutaha, P.S. Lodipur, District-Bhagalpur.
12. Manish Kumar, Son of Ghanshyam Yadav, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
13. Naval Kishor Yadav, Son of Basudeo Yadav, Resident of village-Tikluganj, P.S. Kahalgaon, District-Bhagalpur.
14. Bhavesh Kumar, Son of Dhananjai Prasad, Resident of village-Mirachak, P.S. Lodipur (Goradih), District-Bhagalpur.
15. Ranjeet Kumar Yadav, Son of Ganesh Yadav, Resident of village-Tardiha, P.S. Jagdishpur, District-Bhagalpur.
16. Sanjit Kumar Yadav, Son of Mahendra Prasad Yadav, Resident of village-Miranchak, P.S. Lodipur (Goradih), District-Bhagalpur.
17. Bablu Kumar Yadav, Son of Mahendra Prasad Yadav, Resident of village-Miranchak, P.S. Lodipur (Goradih), District-Bhagalpur.
18. Amarjeet Kumar Rajak, Son of Mahesh Prasad Rajak, Resident of village-Koyla, P.S. Lodipur (Goradih), District-Bhagalpur.
19. Rupesh Mandal, Son of Upendra Mandal, Resident of village Koyla, P.S. Lodipur (Goradih), District-Bhagalpur.
20. Dharmendra Kumar Yadav, Son of Ugandev Yadav, Resident of village-Ankitta, P.S. Amdanda (Sonhoula), District-Bhagalpur.



21. Ashwini Kumar Mahto, son of Nayak Chand Mahto. resident of Village-Olapur, P.S.-Pirpanti, District-Bhagalpur.
22. Nikesh Kumar, Son of Kapil Dev Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
23. Ganesh Kumar, Son of Late Mangal Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
24. Prakash Mandal, Son of Hukum Chand Mandal, Resident of Village-Olapur P.S. Pirpanti, District-Bhagalpur.
25. Srikant, Son of Deep Narayan Yadav, Resident of Village-Kamarganj, P.S. Sultanganj, District-Bhagalpur.
26. Pankaj Kumar, Son of Jayhindra Yadav, Resident of Village-Bangaw Khutaha, P.S. Lodipur(Goradih), District-Bhagalpur.
27. Rishi Kumar Paswan @ Rishi Kumar, Son of Shyam Paswan, Resident of village-Khutaha, P.S. Lodipur (Goradih), District- Bhagalpur.
28. Sanjay Kumar Mandal, son of Nand Kishor Mandal, Resident of village-Olapur, P.S. Pirpanti, District-Bhagalpur.
29. Bikash Kumar Paswan, son of Ramu Paswan, Resident of Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
30. Nilesh Kumar, Son of Prahlad Pd. Yadav @ Prahlad Yadav, Resident of village-Punnakh, P.S. and Block Goradih, District- Bhagalpur.
31. Pawan Kumar Paswan, son of Late Dilip Paswan, Resident of village-Khutaha, P.S. Lodipur, District-Bhagalpur.
32. Nitish Kumar, Son of Chhavi Lal Paswan, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
33. Md. Jasim Alam, Son of Naeyam Akim, Resident of village-Rampur Kharhara, P.S. Rasalpur, District-Bhagalpur.
34. Sikram Kumar, Son of Shiv Prasad, Resident of Surya B.C. Lok Colony, P.S. Mirzanhat (Jagdishpur), District-Bhagalpur.
35. Dharmesh Kumar, Son of Laxman Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
36. Pravakar Kumar, Son of Geeta Prasad Mandal, Resident of village-Oriup, P.S. Antichak Block (Kahalgau), District-Bhagalpur.
37. Lalan Paswan, Son of Haldhar Paswan, Resident of Roshanpur, P.S. and Block Pirpanti, District-Bhagalpur.
38. Jitendra Kumar Yadav, son of Arjun Pd. Yadav, Resident of village-Ram chandrapur, P.S. Goradih, District-Bhagalpur.
39. Jantu Paswan, Son of Prakash Paswan, Resident of village-Pista, P.S. and Anchal Jagdishpur, District-Bhagalpur.
40. Arbind Kumar, Son of Popal Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
41. Bipin Kumar, Son of Ravindra Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
42. Amarjeet Kumar, Son of Kishor Prasad, Resident of village-Chakfatma, P.S.



Jagdishpur, District-Bhagalpur.

43. Rajesh Kumar, Son of Parmeshwar Prasad, Resident of village-Bangaon Khutaha, P.S. Lodipur, District-Bhagalpur.
44. Amit Kumar, Son of Sethlal Prasad, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
45. Jiyalal, Son of Medilal, resident of village-Khutaha, P.S. BC Lodipur (Goradih), District-Bhagalpur.
46. Satkabir Kumar, Son of Dilip Kumar Yadav, Resident of village-Khutaha, P.S. Lodipur (Goradih), District-Bhagalpur.
47. Dileep Kumar Pandit, Son of Luchay Pandit, R/O village-Sangit Bahita, P.S. Antichak Block Kahalgaon, District-Bhagalpur.
48. Sachin Kumar, Son of Arbind Prasad, Resident of village-Khutaha, P.S. Lodipur Block Goradih, District-Bhagalpur.
49. Subhash Kumar, Son of Sudhir Prasad, Resident of village-Koili, P.S. and Block Jagdishpur, District-Bhagalpur.
50. Babulal Mandal, Son of Billu Mandal, Resident of village-Vangaon Khutaha, P.S. Lodipur, Block Goradih, District-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. The 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
For the Respondent/s : Mr. Standing Counsel (6)

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

4 28-02-2025 Heard learned counsel for the petitioners and learned
counsel for the respondents-State.

2. This petition has been preferred by the petitioners
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 circumstances of the case.

3. It is submitted by the counsel for the petitioners 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 of 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 submits that since the Order dated 05.02.2021 (supra) has attained finality, 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. C.W.J.C. No. 11645 of 2019.

4. Considering the above submissions made by the counsel of the petitioners, it would be appropriate to dispose of the petition giving liberty to the petitioners to firstly make their representation before the respondent no. 4. Accordingly, the petition is disposed of. The 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 Co-ordinate 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 representation/application.

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

(Arvind Singh Chandel , J)

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