

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4395 of 2026

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Mukesh Kumar S/o Mahadeo Lal Kapri, Const. No- 381685, Resident of
Village-Dumarthar, P.S.-Chandan, Dist-Banka, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Home Special Department, Patna.
2. The Principle Secretary, Home (Special) Department, Govt. of Bihar, Patna.
3. The Director General cum Commandant General, Home Guards and Fire Services, Govt. of Bihar, Patna.
4. The Commandant, Bihar Home Guards, Headquarter, Patna.
5. The District Magistrate cum Chairman, District Selection Committee of Home Guards, Banka.
6. The District Commandant, Bihar Home Guards, Banka.
7. The Superintendent of Police, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastav, Advocate
For the Respondent/s : Mr. Standing Counsel (21)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

*“I. For issuance of appropriate writ(s) thereby
commanding upon the respondents concerned
to consider the petitioner
appointment/selection as Home Guards w.e.f
the year 2021 instead of 11/04/2025 i.e the
date on which he has been sent For training,
in pursuance of Advertisement No-02/2011.*



II. For also issuance of appropriate writ(s) thereby commanding the respondents to grant the petitioner all his consequential service benefits w.e.f the year 2021 including his adjustment in the cadre of Company commander as he was selected as Gramin Home Guard in the year 2021-2022 by the recommendation of the selection committee dated 07/03/2022 but has been sent for training w.e.f 11/04/2025 only.

III. For also direction upon the respondents to pay salary/remuneration to the petitioner w.e.f 2021 the day he was selected as Home Guards.

IV. For grant of any other relief(s) which the petitioner may be entitled to in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the petitioner's appointment has taken place only after the order passed by this Hon'ble Court in C.W.J.C. No. 4636 of 2023. But, his service has not been accepted with retrospective effect. For that, the petitioner has filed representation dated 23.12.2025 (Annexure-P/8). Counsel submits that till date, no order has been passed on the petitioner's representation.

4. Learned counsel for the State submits that a direction may be given so that the concerned authority may pass order on the petitioner's representation dated 23.12.2025



(Annexure-P/8), within a fixed period of time.

5. As such, this Court without entering into the merit or demerit of this case hereby directs the District Commandant, Bihar Home Guards, Banka (Respondent no.6) to pass a reasoned and speaking order on the petitioner’s representation dated 23.12.2025 (Annexure-P/8) in accordance with law, within 90 days from the date of production of a copy of this order.

6. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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