

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7420 of 2020

1. Santosh Kumar Yadav S/o Indrasan Yadav Home Guard constable no. 211585, resident of Village- Bherwaniya, P.S.- Bhagwanpur Hatt, Dist.- Siwan.
2. Dharmendra Ray S/o Banka Ray Home Guard constable no. 211765, resident of Village- Salempur, P.S.- Bhagwanpur Hatt, Dist.- Siwan.
3. Harendra Yadav S/o Kishun Yadav Home Guard constable no. 211648, resident of Village- Jagganathpur, Saidpura, P.S.- Goriya Kothi, Dist.- Siwan.
4. Kamleshwar Prasad S/o Murlidhar Prasad Home Guard constable no. 211701, resident of Village- Baldihan, Talimpur, P.S.- Jamo, Dist.- Siwan.
5. Suman Kumar S/o Rajnarayan Yadav Home Guard constable no. 211639, resident of Village- Mardanpur, Ramgarha, P.S.- Darzunda, Dist.- Siwan.
6. Ram Ashish Yadav S/o Ramsakal Yadav Home Guard constable no. 211669, resident of Village- Rafipur, P.S.- Muffasil Siwan, Dist.- Siwan.
7. Akhilesh Yadav S/o Ramnath Yadav Home Guard constable no. 211788, resident of Village- Gyaspur Mathiya, P.S.- Siswan, Dist.- Siwan.
8. Brij Kishore Ram S/o Surjan Ram Home Guard constable no. 211751, resident of Village- Pakwalia, P.S.- Mahrajganj, Dist.- Siwan.
9. Mukesh Kumar Ram S/o Rajnath Ram Home Guard constable no. 211761, resident of Village- Shekhpura, Chainpur, P.S.- Goriya kothi kothi, Dist.- Siwan.
10. Ajay Kumar Ram S/o Motilal Ram Home Guard constable no. 211785, resident of Village- Rafipur, Rafipur, P.S.- Hussainganj, Dist.- Siwan.
11. Ranjit Sah S/o Shankar Sah Home Guard constable no. 211786, resident of Village- Gyaspur, P.S.- Siswan, Dist.- Siwan.
12. Chunni Devi D/o Damar Manjhi Home Guard constable no. 2116217, resident of Village- Bherwaniya, P.S.- Bhagwanpur Hatt, Dist.- Siwan.
13. Reena Kumari D/o Dudh Nath Prasad Home Guard constable no. 211612, resident of Village- Sharkola, P.S.- Basantpur, Dist.- Siwan.
14. Govinda Mahto S/o Munilal Mahto Home Guard constable no. 211776, resident of Village- Gaur, P.S.- Mahrajganj, Dist.- Siwan.
15. Praddep Kumar Singh S/o Narendra Kumar Singh Home Guard constable no. 211775, resident of Village- Nandpur, P.S.- Basantpur, Dist.- Siwan.
16. Rajesh Singh S/o Hariram Singh Home Guard constable no. 211672, resident of Village- Jasauli, P.S.- Pachrukhi, Dist.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Home (Police) Department, Bihar, Patna.
2. The Principal Secretary, Home (Police) Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary Home (Police) Department, Govt. of Bihar, Patna.



4. The Director General of Police Bihar, Patna.
 5. The Chairman Central Selection (Police recruitment) Board, Sardar Patel Bhawan, 6th floor, Block A/626, Jawaharlal Nehru Marg, Patna- 800023.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate Mr. Prashant Kumar, Advocate Mr. Anshuman Kumar, Advocate
For the State	:	Mr. Sailesh Kumar, AC to GP-5
For the C.S.B.C.	:	Mr. Sanjay Pandey, Advocate Mr. Binod Kumar Mishra, Advocate Mr. Vivek Anand Amritesh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
Date : 22-06-2026

Heard Mr. Ashok Kumar, learned Advocate for the petitioner and Mr. Vivek Anand Amritesh, learned Advocate for the Central Selection Board of Constable.

2. The petitioners, who were the aspirants for the post of constable in connection with advertisement no. 2 of 2019, have approached this Court seeking a direction upon the respondents to allow them to appear in Physical Efficiency Test for their selection, which is scheduled to be held in the month of July, 2020. The petitioners also sought a direction upon the respondents to declare them as successful in their written examination after giving proper relaxation, and as their cases have not been considered as per 50% of vacancy carved out for them in pursuance of advertisement no. 2 of 2019.

3. Learned Advocate for the Central Selection Board at the outset made a preliminary objection with regard to



continuation of the writ petition, and it is submitted that during the interregnum period, the entire selection process has been concluded and appointments have also been made. Neither the advertisement nor the final selection list is under challenge.

4. Referring to the counter affidavit, it is further submitted that the Board has conducted the written examination under advertisement no. 2 of 2019 and all the candidates, including the petitioners, appeared in the said examination, but the petitioners could not even secured 30% of marks and thus they have been declared unsuccessful. It is further contended that in terms with clause 13.2 of the advertisement, it has been clearly mentioned that relaxation of five years in the prescribed maximum age limit for Home Guards of all categories will be given. Apart from this, there would not be any kind of relaxation for Home Guard candidates.

5. On the other hand, learned Advocate for the petitioners submits that the terms of the advertisement has not been followed in the manner, which was required to be done in relation to the petitioners, who were serving as Home Guards. However, he did not confront the present position, as has been stated by the learned Advocate for Central Selection Board.

6. Having considered the submissions advanced by



the learned Advocates for the respective parties and taking note of the fact that the petitioners have failed to secure minimum qualifying marks of 30% in the written examination and they have already been declared disqualified in terms of advertisement and Government notification. Besides there is no stipulation in the advertisement or the notification issued in this connection for extending relaxation in the marks to the Home Guards. Moreover, the entire selection process has already been concluded and the appointments have been made in terms with advertisement no. 2 of 2019, which is also not challenged.

7. This Court does not find any merit in the present writ petition. Accordingly, the same stands dismissed.

(Harish Kumar, J)

sumit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.06.2026
Transmission Date	NA

