

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.670 of 2025

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1. Mukesh Kumar Sahani Son of Ram Avatar Sahani Resident of Village - Mairi Tand, P.O. - Dumarhar, P.S. - Guthani, District - Siwan
 2. Pramod Kumar Sahani Son of Sarvjeet Sahani Resident of Village - Mairi Tand, P.O. - Dumarhar, P.S. - Guthani, District - Siwan.
 3. Govind Rajbhar Son of Nagina Rajbhar Resident of Village- Mairi Tand, P.O. , Dumarhar, P.S. - Guthani, District - Siwan.
 4. Akshay Kumar Yadav Son of Baijnath Yadav Resident of Village- Mairi Tand, P.O. - Dumarhar, P.S. - Guthani, District - Siwan.
 5. Pankaj Singh Son of Late Mahatam Singh Resident of Village- Mairi Tand, P.O.- Dumarhar, P.S. - Guthani, District - Siwan.
 6. Roshan Gond Son of Suresh Gond Resident of Village- Mairi Tand, P.O.- Dumarhar, P.S. - Guthani, District - Siwan.
 7. Satya Prakash Patel Son of Vishnudev Patel Resident of Village - Baudi, P.O. and P.S.- Guthani, District - Siwan.
 8. Sunil Kumar Yadav Son of Shobha Yadav Resident of Village- Bihari Bujurg, P.O. and P.S. Guthani, District - Siwan.
 9. Ashok Yadav Son of Ramji Yadav Resident of Village - Mairi Tand, P.O. - Dumarhar, P.S. Guthani, District - Siwan.
 10. Durgesh Kumar Son of Uma Shankar Yadav Resident of Village- Basuhari, P.O.- Balua, P.S. Guthani, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Director General of Police, Govt. of Bihar, Patna
3. The Director General, Home Guards, Govt. of Bihar, Patna.
4. The District Magistrate, Siwan.
5. The Superintendent of Police, District - Siwan.
6. The District Commandant, Home Guard, Siwan, District Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Respondent/s : Mr. Government Pleader (27)



CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 02-04-2026

Heard learned Counsel for the petitioners and learned Counsel for the State.

2. The present writ petition has been filed by the petitioners for issuance of a writ in the nature of mandamus directing the respondent authorities to consider the case of the petitioners to select as Home Guard Panel in the district of Siwan, in terms of Advertisement No.02 of 2011 dated 30.07.2011.

3. Learned Counsel for the petitioners submits that petitioners were appeared in the selection process for the post of Home Guard in Advertisement No.2 of 2011 dated 30.07.2011. They were found suitable and name of all the petitioners figured in the merit list. They have also appeared in physical and other tests, but till now they were not considered by respondent No.6. Counsel submits that there are still nine vacant seats available in the district of Siwan. Counsel submits that this Hon'ble Court in CWJC No.159 of 2018 along with analogous cases and in CWJC No.4259 of 2025 pleased to direct the respondent authorities to consider



the case of the respective petitioners. Counsel submits that the case of the present petitioner is exactly similar to those cases.

4. Learned counsel for the State submits that counter has not been received and at this juncture he rested himself to argue anything on merit, but he fairly submits that case may be disposed off for consideration before the respondents that in case the petitioners' case is exactly similar to those cases, then in this matter a decision may be taken by respondent No.4, the District Magistrate, Siwan.

5. In the light of the submissions made and considering those orders annexed in the present writ petition as Annexure-P/3, this Court hereby disposed off the writ petition directing the petitioners to file a detailed representation before respondent No.4, the District Magistrate, Siwan, who shall pass a reasoned and speaking order with regard to the petitioners upon filing of fresh representation by them within 30 days from today.

6. If the District Magistrate, Siwan (respondent No.4), finds that the case of the petitioners are exactly similar to the case of those petitioners then he shall follow Clause 4C of the Bihar State Litigation Policy, 2011 and following the



guidelines made in the litigation policy shall take decision in accordance with law subject to availability of vacancy within 90 days from today.

Mkr./-

(Dr. Anshuman, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.04.2026
Transmission Date	

