

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7185 of 2014

=====

Anju Kumari, W/o Sri Mithlesh Kumar Verma, Resident of village -
Motherdiha East, P.S. - Wazirganj, District - Gaya.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director, Social Welfare Department, I.C.D.S. Director, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Gaya.
5. The District Programme Officer (Establishment), Gaya.
6. The Block Development Officer, Wazirganj, Gaya.
7. The Child Development Project Officer, Wazirganj, Gaya.
8. The Mukhiya, Gram Panchayat Raj Amethi, Wazirganj, District - Gaya.
9. Sweta Shalini W/o Amod Kumar, daughter of Sunil Kumar Mehta Resident of village - Matherdih East Ward No. - 6, P.O. - Rajwara, P.S. - Wazirganj, District - Gaya.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Jagdish Prasad No.-1
Mr. Ashok Kumar

For the Respondent nos.1to7: Mr. Rakesh Kumar Singh, AC to GP-3

For the Respondent No.9 : Mr.Arun Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-01-2015 Heard the parties.

In the present writ petition, the petitioner is aggrieved by the order dated 17.06.2013 (Annexure-5) passed by the respondent District Programme Officer, Gaya, whereby the selection of the petitioner on the post of Anganwari Sevika of the Anganwari Centre in question in the district of Gaya has been cancelled and the respondent C.D.P.O. was directed to undertake fresh mapping of the Anganwari Centre in question and to proceed further. He is also aggrieved by the appellate order dated 25.02.2014 (Annexure-6), whereby the appeal filed on behalf of the petitioner has been dismissed and the order passed by the

respondent District Programme Officer, Gaya has been modified to the extent that the fresh mapping was not required to be done by the C.D.P.O. However, the respondent, C.D.P.O., Wazirganj, Gaya has been directed to undertake fresh selection process for the purposes of the selection on the post of Anganwari Sevika of the Anganwari Centre in question.

Mr. Jagdish Prasad, the learned counsel appearing on behalf of the petitioner, has fairly submitted that during the pendency of the present writ petition a fresh selection has already been made and the respondent no.9 has been selected/appointed on the post of Anganwari Sevika.

In above view of the matter, this Court is of the opinion that the present writ petition has become infructuous and no relief can be granted to the petitioner in the present proceeding. However, the petitioner is granted liberty to challenge the validity and correctness of the aforesaid selection process as also the selection/appointment of the respondent no.9 on the post of Anganwari Sevika of the Anganwari Centre in question in an appropriate proceeding before an appropriate forum/court.

If such a proceeding is brought by the petitioner before an appropriate forum/court, the same shall be considered and decided strictly in accordance with law without being prejudiced/influenced by the present order.

The writ petition stands finally disposed of with the observations and directions made above.

Arvind/-

(Birendra Prasad Verma, J)

U			
---	--	--	--