

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.56 of 2015

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Abul Kalam son of Serajuddin, resident of village- Surwal, P.O and P.S -
Barauli, District - Gopalganj (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Social Welfare Department, Govt. of Bihar Patna.
3. The Director ICDS, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Shafiur Rahman, Advocate

For the Respondent/s : Mr. Lalit Kishore, PAAG

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-02-2015 Learned counsel for the petitioner is present.

The petitioner seeks a direction to the authorities of the Social Welfare Department for appropriate amendment in the guidelines issued in respect of the Supervisors, Sevika, Sahayika under the Integrated Child Development Scheme insofar as Clause-4.9 is concerned whereby the wife, the daughter-in-law and any other relative which would include the wife, the daughter-in-law, the sister and the sister-in-law and even the daughter of a government servant / semi government servant have been disqualified to seek appointment against any post under the Scheme.

If the petitioner is aggrieved by the provisions, then the appropriate remedy for him would be to question its validity in an

appropriate proceeding or any aggrieved may question its applicability but the prayer made in this application seeking a direction for amendment in the rules on grounds that it is violative of the constitutional guarantee, the petitioner would have to take recourse to the appropriate remedy available to him in law before the proper forum.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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