

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.744 of 2016
IN
Civil Writ Jurisdiction Case No. 23513 of 2012**

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Reena Kumari, Wife of Sri Jay Sah Resident of Village-Rahimpur Raksha, P.S Sakra, District Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Director, I.C.D.S. Social Welfare Department, Government of Bihar, Patna
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur
4. District Magistrate, Muzaffarpur.
5. District Programme Officer, Muzaffarpur.
6. Child Development Project Officer, Sakra Block, District Muzaffarpur.
7. Mukhiya, Sirjabad Gram Panchayat, P.S. & Block Sakra, District Muzaffarpur.
8. Panchayat Secretary, Sirjabad Gram Panchayat, P.S & Block Sakra, District Muzaffarpur
9. Dharam Sheela Devi Wife of Shankar Chaudhary Resident of Village-Rahimpur Raksha, P.O. Mehasi, P.S Sakra, District Muzaffarpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Chandra Verma, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 20-11-2017

In the matter of appointment of Anganwari Sevika, process for which was initiated in the year 2007, but the process of selection did not culminate into appointment to any person, the learned Writ Court has refused to exercise its discretionary jurisdiction on account of changed circumstances and coming into force of new guidelines for appointment in the year 2011.

In doing so, in our considered view, in the facts and



circumstances of the case that the selection process was initiated in the year 2007, remained incomplete and did not culminate into making any appointment of any candidate, no indulgence could be required after new guide line 2011 came and in reaching the said conclusion, the Writ Court has committed no error warranting reconsideration.

This appeal stands disposed of with liberty to the appellant to seek fresh appointment in accordance with law, in case, the process of appointment is undertaken as per the new guidelines.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
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