

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.18457 of 2010**

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Smt. Lalita Kumari, wife of Sri Chandradeo Nirala, resident Vill.- Safiabab, P.O.-  
Safiabad, P.S.- Naya Ram Nagar, Distt.- Munger

.... .... Petitioner

Versus

1. The State of Bihar through the Commissioner-Cum-Secretary, Social Welfare Department, Government of Bihar, Patna
2. The District Magistrate, Munger
3. The District Programme Officer, Munger
4. The C.D.P.O., Jamalpur, Munger
5. The Mukhia, Naya Ram Nagar Panchayat, Jamalpur, Munger
6. The Panchayat Sachiv, Naya Ram Nagar, Jamalpur, Munger

.... .... Respondents

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**Appearance:**

For the Petitioner : Mr. Shambhu S.N.Singh, Advocate

For the Respondents : Mr. Jainendra Kumar Sinha, AC to SC 17

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 03-08-2017**

Learned counsel for the petitioner prays for making corrections of some of the typographical errors in the writ petition such as, to add Jamalpur in the cause title in respect of respondent nos. 4, 5 and 6, date of birth as appearing in sub para (f) at page 8 to read as 15.04.1967, as per Annexure -3 to the writ petition, in place of 15.04.1970 and also to make correction of the date of birth of the petitioner in the affidavits sworn by her at page 15 of the writ petition and at the first page of supplementary affidavit.

2. As prayed, learned counsel for the petitioner is permitted to make necessary corrections as aforesaid, in the writ petition and supplementary affidavit in course of the day.



3. The present writ petition has been filed for a direction to the respondents to consider the petitioner for the post of Anganwari Sevika at Safiabab Anganwari Kendra (Code 04) under the Naya Ram Nagar Panchayat of the District Munger; and for connected reliefs.

4. Learned counsel for the petitioner makes a short submission to the effect that one Nisha Gupta had been wrongly selected on the basis of forged matriculation certificate and for which the petitioner filed representation (Annexure-4) before the District Magistrate, Munger. It transpires that upon consideration of the matter in Misc. Case No.1/2011-12 and Misc. Case No. 9/2011-12, the Collector, Munger by his order dated 23.11.2011 had passed an order cancelling the selection of the said Nisha Gupta. The petitioner accordingly claims that she ought to be considered on the vacant post of Anganwari Sevika which had arisen owing to cancellation of the selection of Nisha Gupta.

5. Learned counsel for the State on the other hand opposes the writ petition, *inter alia*, submitting that there is inordinate delay on the part of the petitioner in approaching this Court in the year 2010, whereas the meeting of the 'Gram Sabha' held on 18.09.2003 had found her application to be defective and moreover, thereafter fresh guidelines have been notified for the process of selection of Anganwari Sevika.

6. Having regard to the submission of learned counsel for the parties, this Court is of the view that the ends of justice will be met by directing the respondents to consider the case of the petitioner on its own merits and on the basis of applicable guidelines. It is made clear that this Court has not expressed any opinion on the merits of the claim of the



petitioner.

7. The writ petition stands disposed of. Interlocutory Applications if any, also stands disposed of.

**(Vikash Jain, J)**

Chandran/BT

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