

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.913 of 2017

=====

Phool Kumari Devi Wife of Rajesh Rajak resident of Village - Baro Sonuth, Ward
No. 10, P.S. - Phulwaria, District - Begusarai.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar.
2. The Director Integrated Child Development Scheme, Bihar, Patna.
3. The District Officer, Begusarai.
4. The District Programme Officer, Begusarai.
5. The Child Development Project Officer, Tegha Begusarai.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Respondent/s : Mr. Mithilesh Kumar Upadhyay, AC to GP-3

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 15-09-2017

Heard learned counsel for the parties.

Mr. Mithilesh Kumar Upadhyay, learned AC to GP-3,
appears on behalf of the State and files a counter affidavit.

The grievance of the petitioner stands noted in the order dated 28.8.2017 and basically what the petitioner complains is that the selection process initiated for appointment of Anganwari Sevika, Anganwari Kendra No. 244, Bakhkho Tola, Block Teghra, in the district of Begusarai has been abandoned midway.

It is the contention of the petitioner that on the pretext of seeking guidelines that none of the respondents have come forward to complete the selection process which needs to be taken to its conclusion. It is taking note of the grievance that the learned counsel



for the State was asked to seek instruction and when a counter affidavit is filed on behalf of respondents no. 3 to 5 by the Child Development Project Officer practically accepting the contention that the matter yet lies at the stage of seeking guidelines from the superior authorities. The proceedings of the Aam Sabha has also been enclosed which would reflect that two of the applicants were considered for appointment but while the petitioner was present, the other applicant Wazda Tabasum was absent and her father-in-law informed that she was admitted in the hospital being on the family way. On her absence an objection was raised by the petitioner on the eligibility of other candidate as well as grounds that her father-in-law was a Chairman of the Primary Agriculture Co-operative Society and it is taking note of such circumstances that the guideline was sought from the superior Officer on the issue as back as on 5.2.2015. Unfortunately it is due to laid back attitude of the respondents that the matter has remained standstill.

In my opinion, a selection process having been initiated and having reached the stage of Aam Sabha cannot be abandoned rather has to be taken to its conclusion and a decision needs to be taken on the basis of comparative merits of the candidates whose candidature were to be considered by the Aam Sabha.

In the circumstances, I deem it proper to direct the



respondent the District Programme Officer, Begusarai, who according to Mr. Upadhayay would be the competent authority, to take appropriate steps for completion of the selection process initiated for appointment on the post of Anganwari Sevika in question and complete the same within a maximum period of three months from today.

With the aforementioned observation and direction, the writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.10.2017
Transmission Date	NA

