

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.169 of 2017

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1. Manita Kumari, Wife of Sintu Mahto, Resident of Village- Manoharpur,
P.S.- Birupur, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, Integrated Child Development Scheme (I.C.D.S.), Bihar, Patna.
4. The District Magistrate, Lakhisarai.
5. The District Programme Officer, Lakhisarai.
6. The Child Development Project Officer, Barahiya Block, P.S.- Barahiya, District- Lakhisarai.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Dev Kumar Pandey, A.C. to G.P.2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 11-04-2017 Heard Mr. Sanjeev Kumar, learned counsel for the petitioner and Mr. Dev Kumar Pandey, learned A.C. to G.P.2 for the State are present.

The grievance of the petitioner is that the selection process for filling up the post of Anganbari Sevika, Ward No.6, Girdharpur Gram Panchayat in Barahiya Block District- Lakhisarai has been left midway.

Mr. Sanjeev Kumar learned counsel for the petitioner in reference to the proceedings of the Aam Sabha present at Annexure-5 has submitted that although the Aam Sabha took place on 7.2.2015 and the petitioner was present but the process was not completed rather it was left midway because of the incorrect opinion of the Child Development Project Officer regarding lack



of quorum. A similar stand has been taken by the respondents in the counter affidavit besides relying upon the guidelines which inter alia provided that a selection process not completed within one year, would loose its sanctity and has to be conducted afresh.

Having heard learned counsel for the parties and considering that while the Aam Sabha in question took place on 7.2.2015 and not concluded in a decision, this writ petition is filed after almost 2 years to enforce a decision thereon. In view of the lapse of time and the stand taken by the respondents, I am not persuaded for granting any indulgence or issuing any direction in this regard save and accept that since the post of the Anganbari Sevika is lying vacant, the respondent authorities particularly the respondent Nos.3 to 6 would be obliged to take steps for filling up the post in accordance with law preferably within three months from the date of receipt/production of a copy of this court.

Let the District Programme Officer, Lakhisarai take necessary steps in this regard.

The writ petition is disposed of.

Bibhash/-

(Jyoti Saran, J)

AFR/NAFR	
CAV DATE	NA
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