

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6628 of 2016

With

I.A. No.3282 of 2016

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1. Suraj Kumar Son of Hardeo Poddar resident of Mohalla - Lalpokhar Naglok, P.S. - Kashim Bazar, Distt. – Munger.
 2. Ajay Kumar Anjana S/o Sri Ram Chandra Rai resident of Mohalla - Kutrahia, Laxmisagar, P.S.Sadar, Distt. – Darbhanga.
 3. Anil Kumar Singh S/o Sri Moti Singh resident of village - Gaurakshni, P.S. & Distt. – Jahanabad.
 4. Manish Bhagat Son of M.D. Bhagat resident of village - Milaan Chowk, P.S. Lalbagh, Distt. – Darbhanga.
 5. Ruby Kumari D/o Shambhu Pd. Srivastava resident of - Ramnagar, P.S. Ramnagar, Distt. - W. Champaran.
 6. Satish Kumar Thakur Son of Late Daroga Thakur resident of Police Line Road, Kanhauli, P.S. - Mithanpura, Distt. - Muzaffarpur
 7. Ashwinee Kaushik S/o Sri Bamshankar Thakur resident of village - Raghunathpur, P.S. Sahebpur Kamal, Distt. – Begusarai.
 8. Aruni Kumar Son of Arjun Narayan Chaudhary resident of village - Harnathpur, P.S. Sajour, Distt. – Bhagalpur.
 9. Brij Kishore Prasad Srivastava S/o Rameshwar Lal Prasad resident of village - Barauli, P.S. Barauli, Distt. – Gopalganj.

.... Petitioner/s

Versus

1. Integrated Child Development Services (ICDS), Social Welfare Department, Govt. of Bihar through its Director, 2nd Floor, Indira Bhawan, R.C. Singh Road, Patna 800001.
2. Principal Secretary, Social Welfare Department, Government of Bihar.
3. Director, Integrated Child Development Services (ICDS) cum State Project Director, ISSNIP, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Adv.
For the Respondent/s : Dr. Anil Kumar Upadhyay, SC-2
Mr. Rohit Rajershi, AC to SC-2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 18-03-2017

Heard the parties.

The petitioners were working under a contract against the post of District Project Assistant under the ICDS System Strengthening and Nutrition Improvement Project ('ISSNIP' for the sake of brevity) and their contract has ended on 31.12.2015. The petitioners seek direction to the respondents for renewal/extension of



their service contracts.

Mr. Prabhat Ranjan Singh, learned counsel appearing for the petitioners has invited the attention of this Court towards the letter of the Director, ICDS present at Annexure-5 to submit that steps were taken for seeking guidelines on the persons who were working in the project but the exercise has not been taken to its conclusion rather an advertisement was published on 19.4.2016, a copy of which is present at Annexure-7 to the interlocutory application but the age limit prescribed disqualifies these petitioners.

A counter affidavit is on record and in which it is stated that it is in accordance with the guidelines issued by the Ministry of Women and Child Development that the stipulations have been modified as mentioned in the advertisement. It is thus submitted that in the changed circumstances, it was not thought it proper to continue with the services of the District Project Assistant, whose contract had ended. It is further contended by learned counsel for the respondents that the advertisement has been published almost a year back and selection process is already initiated.

Having heard learned counsel for the parties and taking note of some undisputed circumstances namely:

- (a) the selection process has started; and
- (b) the petitioners were neither applicants against the advertisement nor have they chosen to represent for any



age relaxation for consideration;

no order can be passed for consideration of their case for appointment on the post so advertised. It is bit too late for the petitioners to raise any grievance against the selection process.

The writ petition and the interlocutory application are disposed of.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23-03-2017
Transmission Date	NA

