

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2995 of 2015

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Aarti Devi W/o Avinash Kumar, Resident of Village- Tarawe, Ward no. 3, P.S.- Gamharia, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Social Welfare Department, Govt of Bihar, Patna.
3. The Director, I.C.D.S. Directorate under Social Welfare Department, Govt. of Bihar, Patna.
4. The Divisional Commissioner, Koshi Pramandal , Saharsa.
5. The District Magistrate, Madhepura.
6. The District Programme Officer, Madhepura.
7. The Child Development Protect Officer, Gamharia, District- Madhepura.
8. The Chairman , Anganbari Sevika Selection Committee, Angan Bari Kendra No -85, Gram Panchayat Kaurihar- Tarawe, Block- Gamharia, District- Madhepura.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 4280 of 2015

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Jaynita Kumari W/o - Sri Mintu Kumar, resident of Village- Gongapur, P.S. - Lakhnoura, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar
2. The Director , Integrated Child Development Scheme , Bihar, Patna.
3. The Secretary , Social Welfare Department Bihar, Patna.
4. The District Magistrate, Madhubani.
5. The District Programme Officer, Madhubani.
6. The Child Development Project Officer, Jhanjharpur, P.S. Jhanjharpur, District - Madhubani.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 3236 of 2015

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Rukaiya Begum W/o- Late Isteyaque Ahmad, Resident of Village- Semarahiya Ward No. 6, P.S.- Chhauradano, District- East Champaran

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Director, Social and Welfare Department, Govt. of Bihar, Patna



3. The Secretary, Social and Welfare Department, Govt. of Bihar, Patna
4. The District Magistrate, East Champaran
5. The Sub-Divisional Officer, East Champaran
6. The Child Development Programme Officer, East Champaran

.... Respondents

with

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Civil Writ Jurisdiction Case No. 5924 of 2015

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Tabasum Praween W/O- Zikrullah, Resident of village- Surwal, P.O. & P.S.- Barauli, District- Gopalganj, (Bihar).

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director ICDS, Govt. of Bihar, Patna.
4. The District Programme Officer, (I.C.D.S.), Gopalganj. null null
5. The Child Development Project Officer, Barauli, Gopalganj.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 7558 of 2015

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Mostt. Runa Kumari W/o Late Arjun Ram, resident of village- Harpur Rewari, P.S.- Angarghat, District- Samastipur

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
3. The Director, I.C.D.S., Bihar, Patna
4. The Divisional Commissioner, Darbhanga
5. The District Magistrate, Samastipur
6. The District Programme Officer (I.C.D.S.), Samastipur
7. The Block Development Officer, Ujiarpur, District- Samastipur
8. The Child Development Project Officer (C.D.P.O.), Ujiarpur, District- Samastipur
9. The Mukhiya, Gram Panchayat Raj- Harpur Rewari, Block- Ujiarpur, District- Samastipur

.... Respondents

with

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Civil Writ Jurisdiction Case No. 7846 of 2015

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Kumari Sujata @ Sujata Kumari daughter of Sri Baleshwar Mahto and Wife of Sri Sheo Kumar resident of village- Manpur, P.s.- Chandradeep, District- Jamui.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department (I.C.D.S.), Bihar, Patna.
2. The Commissioner, Munger Division, Munger.
3. The District Magistrate, Jamui.
4. The District Programme Officer, Jamui.
5. The Child Development Project officer, E Aliganj Block, P.O.- Aliganj, P.S.- Chandradeep, District- Jamui.
6. Arti Kumari wife of Sri Sanjay Kumar resident of village- Manpur, P.O. Aliganj, P.S.- Chandradeep, District- Jamui. At Present - Anganbarisevika at centre no. 26 Manpur, E.Aliganj, P.S.- Chandradeep, District- Jamui.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 8762 of 2015

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Karma Devi W/o Sri Murari Thakur Resident of village - Fatehpur (Belahi), P.O. Lohat, P.S. Pandaul, District - Madhubani (Bihar)

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna
2. The Director I.C.D.S., Department of Social Welfare, Government of Bihar, Patna
3. The District Magistrate, Madhubani
4. The District Programme officer, Madhubani
5. The Child Development Project officer, Block - Pandaul, District - Madhubani
6. Sachida Kumari W/o Ajay Kumar Thakur Resident of village - Fatehpur (Belahi), P.O. Lohat, P.S. Pandaul, District - Madhubani (Bihar), PIN - 847231

.... Respondents

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Appearance :

(In CWJC No.2995 of 2015)

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate.

For the Respondent/s : Mr. Lalit Kishore (PAAG)

Mr. Vishwa Bibhuti Kr.Singh,AC to PAAG-I

(In CWJC No.4280 of 2015)

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate.

For the Respondent/s : Mr. Kumari Amrita, GP-10

(In CWJC No.3236 of 2015)

For the Petitioner/s : Mr. Dinesh Jha, Advocate.

For the Respondent/s : Mr. Lalit Kishore (PAAG)

Mr. Vishwa Bibhuti Kr.Singh,AC to PAAG-I



(In CWJC No.5924 of 2015)

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Respondent/s : Mr. Lalit Kishore (PAAG)

Mr. Vishwa Bibhuti Kr.Singh,AC to PAAG-I

(In CWJC No.7558 of 2015)

For the Petitioner/s : Mr. Pramod Kumar, Advocate.

For the Respondent/s : Mr. Lalit Kishore (PAAG)

Mr. Vishwa Bibhuti Kr.Singh,AC to PAAG-I

(In CWJC No.7846 of 2015)

For the Petitioner/s : Mr. Prakash Mahto, Advocate.

For the Respondent/s : Mr. Lalit Kishore, PAAG

Mr. Vishwa Bibhuti Kr.Singh,AC to PAAG-I

(In CWJC No.8762 of 2015)

For the Petitioner/s : Mr. Shashi Nath Jha, Advocate.

For the Respondent/s : Mr. Lalit Kishore (PAAG)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 25-04-2017

Challenging Clause-4.8 and Clause 4.9 of the selection guidelines, 2011, issued by the government in the matter of selection of Anganbari Sevika and Sahaika, these writ petitions have been filed and we have informed and from the counter affidavit filed in C.W.J.C. No. 5924 of 2015 we find that in the year 2016, a new guidelines have been issued incorporating various changes with regard to the criteria fixed. Once a new guideline of 2016 has come into force and there are certain changes in the new guidelines, it is not necessary for us to go into the validity of a guideline of the year 2011 as the said guideline has been superseded and is now replaced by another guideline issued in the year 2016.

That being so, after issuance of the new guidelines of 2016,



if any of the petitioner have any grievance with regard to any condition incorporated in the new guideline, it gives them a fresh pass to agitate the matter. Once the guidelines have been shown, it is not necessary for us to examine the constitutional validity of an old guideline, which is no more in existence.

Accordingly, finding no case for making indulgence, now, in view of the subsequent development these petitions are disposed of with liberty to the petitioner to challenge the subsequent guidelines and take benefit of any provision applicable to them and seek appointment to the post if permissible under law.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03-05-2017
Transmission Date	NA

