

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.531 of 2015

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Pratima Kumari W/o Shri Shankar Poddar R/o Mohalla - Kawalichak, P.S.
Tatarpur, Distt. - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Social Welfare Department,
Government of Bihar, Patna
2. The Commissioner, Bhagalpur Division, Bhagalpur
3. The District Magistrate - cum - Chairman of District Selection Committee,
Bhagalpur
4. The District Programme Officer, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jaganath Singh, Advocate
Mr. Pravin Kumar Sinha, Advocate
For the Respondent/s : Mr. Manoj Kumar, AC to GP 4

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 05-02-2018

Heard counsel for the petitioner and the respondents
State.

2. The petitioner is aggrieved by denial of her selection to the post of lady supervisor under 25 percent categories made for appointments to be made from amongst serving Angan Bari Sevika.

3. Petitioner's counsel submits that her claim has not been considered since it was found that at the time of selection of Angan Bari Sevika she was below 18 years age by few days.

4. Counter affidavit has been filed on behalf of the respondents. Annexure C is a clarification dated 24.02.2012 issued



under the signature of the Secretary, I.C.D.S., Directorate, Bihar in the Department of Social Welfare. Under the same it has been clarified that candidature of those who were below 18 years age at time of their appointments as Angan Bari Sevika, would also be considered for appointment as lady Supervisor.

5. In view of the said clarification, the State in its counter affidavit has taken stand that 9 applicants are pending for consideration for appointment to the post of lady Supervisor including the petitioner. It has also been submitted that all the applicants shall be considered while conducting selection procedure as per the existing rule and guidelines.

6. Such averments have been made keeping in background the clarification dated 24.02.2012 (Annexure C) to the counter affidavit.

7. In view of the said stand of the State Government, no further directions are required to be issued in the instant petition since the respondents have taken the stand that they will consider the petitioner for appointment as lady supervisor.

8. In view of the said specific stand and since the matter has been pending since long time, this Court would only direct that such consideration cannot be left pending and must be completed by the authorities in accordance with law expeditiously, and in



accordance with their stand as taken in the counter affidavit against the vacancies to be made in future.

9. In view of the aforesaid directions, the writ petition stands allowed to the extent indicated hereinabove.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.02.2018
Transmission Date	

