

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17596 of 2014

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1. JASILA KUMARI, WIFE OF SHESH NATH SINGH, RESIDENT OF MAIRWA, POLICE STATION MAIRWA, POLICE STATION MAIRWA, DISTRICT SIWAN
 2. ARTI KUMARI,
 3. NEETU KUMARI, BOTH DAUGHTERS OF UMASHANKAR YADAV, RESIDENT OF VILLAGE JASAUJI KHARG, POLICE STATION JASAUJI, POLICE STATION PACHRUKHI, DISTRICT SIWAN
 4. NILU KUMARI, WIFE OF LATE BASUDEO PRASAD, RESIDENT OF VILLAGE AMBEDKAR NAGAR, SIWAN
 5. KUMARI RENUKA, WIFE OF SRI UPENDRA KUMAR RAM, RESIDENT OF VILLAGE AND PO BANTHU SRIRAM, POLICE STATION ANDAR, DISTRICT SIWAN AND
 6. RINKU KUMARI, DAUGHTER OF SRI LAL BABU SAH, RESIDENT OF VILLAGE SANGRAMPUR POLICE STATION GB NAGAR, TARWARA, PO SANGRAMPUR DISTRICT SIWAN
- Petitioners

Versus

1. THE STATE OF BIHAR THROUGH THE DIRECTOR, INTEGRATED CHILD DEVELOPMENT SCHEME, BIHAR
 2. THE COMMISSIONER, SARAN DIVISION, SARAN AT CHAPRA
 3. THE DISTRICT MAGISTRATE, SIWAN
 4. THE DISTRICT PROGRAMME OFFICER, ICDS, SIWAN
- Respondents

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Appearance :

For the Petitioners : Mr. Bipin Bihari Singh, Advocate
For the Respondents : Mr. Vivek Anand Amritesh, AC to SC 28

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT
Date: 19-06-2018

Heard learned counsel for the petitioner and learned counsel
for the State.

Selection of the petitioners was challenged by certain candidates in C.W.J.C.No. 16702 of 2012 (Sikha Kumari and another Vs. The State of Bihar and others). Said writ petition was disposed of vide order dated 22.4.2013 and the matter was left to be examined by the Divisional Commissioner, Saran who passed final order dated 18.12.2013 rejecting the challenge to the petitioners' selection.

The petitioner has approached this Court seeking a



direction for their appointment in view of the fact that challenge to her selection has been rejected and thus they are legally entitled to the appointment.

Counter affidavit as well as supplementary counter affidavit have been filed by the State. Specific stand of the State is that the selection of Supervisors was envisaged on contract basis and now in terms of Letter no. 1752 dated 12.3.2014 all the vacancies of Anganbari Supervisors including earlier filled up posts have been treated as vacancies for regular appointment and forwarded to the department for appointment on regular basis. It is further stated that the District Programme officer, Siwan vide letter no. 2761 dated 31.5.2013 has already sent the list of persons appointed on contract basis to the Assistant Director, ICDS, Bihar.

In view of the development subsequent to the selection of the petitioners, claim/right for contractual appointment on the post of Anganbari Supervisors no longer subsists. The petitioners have claimed for their appointment on the basis of selection pursuant to the process initiated in the year 2011. Respondents have clearly stated that all the vacancies of Anganbari Supervisors including filled up posts have been treated as vacancies for regular appointment and the same has been forwarded to the Department.

In that view of the matter, this Court finds no occasion to



issue a direction in favour of the petitioners. The writ petition is dismissed.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.6.2018
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