

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.652 of 2014
IN
Civil Writ Jurisdiction Case No. 22209 of 2012**

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Asha Kumari Wife of Arun Kumar Resident of Village- Gonpura, P.S- Kadirganj,
District- Patna.

.... Appellant/s

Versus

1. The State of Bihar through the Principle Secretary Welfare Department Government of Bihar, Patna.
2. The Collector, District Patna (Bihar)
3. The District Welfare Officer, District- Patna (Bihar)
4. The District Programme officer, District Patna (Bihar)
5. The child Development Project Officer, (C.D.P.O), Prakhand, Dhanarua, district- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Prasad Singh, Advocate

For the Respondent/s : Mr. AAG6- ANJANI KUMAR

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-02-2018

Appointment made on the post of Anganwari Sevika in the year 2011 was challenged directly in a writ petition without taking recourse to the statutory alternate remedy available under the scheme, that also without impleading the appointed candidate as a party and, therefore, in the year 2014 the learned Writ Court finding that with regard to appointment made in the year 2011 it may not interfere into the matter exercising its extra ordinary jurisdiction under Article 226 of the Constitution, disposed of the matter in the following manner:-

“ Heard learned counsel for the



parties.

The selection for engagement of Anganbari Sevika was held on 19.02.2011. We are already in 2014. Such a long passage of time does not enthuse this Court to give any direction for engagement of the petitioner, because a fresh exercise is required to be made for many a reasons, including the change in demographic pattern of the ward, where the selection is required to be made and even many a changes have come about in the guidelines and the parameters, which have been put in place for such selection.

In view of the above, writ application is dismissed.

Petitioner would be entitled to offer herself for selection, provided she fulfills the criteria, as in vogue today. The new exercise for selection must be expedited and completed within a reasonable time frame.”

We find no error in the order passed by the learned Writ Court warranting re-consideration. The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

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