

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2061 of 2019

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Meena Kumari Das, aged about 46 years (Female), Wife of Sri Jai Shankar Lal Das, R/o Village- Dinapatti, Ward No.- 4, Police Station- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director, Social Welfare, Govt. of Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The Deputy Development Commissioner, Madhepura.
5. The District Welfare Officer, Madhepura.
6. The Child Development Project Officer, Murliganj, District- Madhepura.
7. The Lady Supervisor, Child Development Project Murliganj, District Madhepura.
8. Poonam Kumari, Wife of Akhilesh Prasad Yadav, R/o Village Binapatti, Police Station- Murliganj, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Adv.
For the Respondent/s : Mr. Md. Raisul Haque (SC10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 07-02-2019

The petitioner was appointed on the post of Anganbari Sahayika, though she had applied for being



appointed as Anganbari Sevika. Despite her having requisite qualification for being appointed as Anganbari Sevika, she was wrongly selected on the post of Anganbari Sahayika in the year 1995. Because of the complaint made on her behalf before the concerned authority at that time, the entire selection process was cancelled with a direction to initiate fresh steps for engagement/appointment of Anganbari Sevika/Sahayika.

2. The aforesaid order of the authority concerned was challenged by the petitioner by way of C.W.J.C. No. 6759 of 2000, which ultimately was dismissed on information to the Bench that the process of fresh selection/appointment has been initiated. The petitioner again approached this Court *vide* C.W.J.C. No. 2034 of 2008, which too was disposed off. Thereafter, the petitioner approached the Office of the Hon'ble Lokayukta, who, in his wisdom, consigned the file as process of engagement/appointment of such functionaries which had been initiated had been completed.

3. Thereafter, the petitioner has approached



this Court again, though for consideration of her case, but for all practical purposes with a prayer for relaxation of age as the entire process of litigation had rendered her off-age for making any such application, the maximum age being 35 years. A Bench of this Court though held that no case of relaxation of age has been made out, but granted concession to the petitioner to make a representation which shall be disposed off if the authority concerned finds favour with the submissions advanced on behalf of the petitioner.

4. The situation has remained at the same stage, *viz.*, the petitioner being over-age to apply for engagement/appointment.

5. This fresh writ petition, in the opinion of this Court, is misconceived and misadventurous too, the least which can be said.

6. Considering the fact that the petitioner has been litigating at all forums for vindicating her rights; her first appointment on a lower post, in the first instance, being not because of any fault on her part; and later the cancellation of the entire process where also she could not



be faulted with, this Court refrains from making any observation or passing any direction for imposition of any cost.

7. For the aforesaid reasons, the petition is dismissed.

8. Cost easy.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.02.2019
Transmission Date	N/A

