

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 3941 of 2019**

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Madhumita Kumari W/o Jai Shankar Ray Vill.- Janardanur, P.s.- Kalyanpur,  
Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna
2. The District Magistrate Samastipur
3. The District Programme Officer Samastipur
4. The Child Development Project Officer Kalyanpur (Centre No. 31)
5. The Lady Supervisor Kalyanpur (Samastipur)
6. The Ward Member Ward No. 12, Gram Panchayat Raj Belsandi, Kalyanpur Block, Samastipur
7. The Panch Gram Panchyat Raj Belsandi, Kalyanpur Block, Samastipur

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Mukesh Kumar<br>Advocate |
| For the Respondent/s | : | Mr. Gyan Prakash Ojha<br>GA7 |

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL JUDGMENT**

**Date : 05-03-2019**

Heard the learned counsel for the petitioner and the State.

The petitioner had made an application for being considered for appointment on the post of Anganwari Sahayika at Centre No. 31, Ward No. 12 in Belsandi Gram Panchayat in the district of Samastipur against an advertisement which was published in the year 2016.



The Aam Sabha was scheduled to meet on 31.10.2016 but the meeting was cancelled for reasons which are not known to the petitioner. Thereafter, the process of appointment was left on the back-burner. Several representations were made by the petitioner and other applicants before the C.D.P.O., Kalyanpur and the District Magistrate, Samastipur who have taken note of the matter but have not done anything with regard to summoning of the Aam Sabha for the purposes of preparation of the merit-list for appointment of Anganwari Sewika / Anganwari Sahayika.

The amended guidelines of 2016 describes the meeting of Aam Sabha as a meeting for the purposes of selection of Anganwari Sewika / Anganwari Sahayika. Clause 10 thereof indicates that once Aam Sabha is convened, it would be presided over by the Chairman and in the absence of the Chairman by the Vice Chairman. The Aam Sabha thereafter, on the basis of panel prepared by the Lady Supervisor shall prepare a list of the candidates in accordance with the merit and appointments shall be made from the aforesaid merit-list. There is no provision in the aforesaid



guidelines of 2016 with respect to the authority of any one of the functionaries to summon / call the Aam Sabha of the Ward Members. The appointment committee which has been defined in Section 1(chh) indicates that the Selection Committee shall comprise the concerned Ward Member, Ward Panch and the Lady Supervisor in her capacity as the Member Secretary.

Learned counsel for the State has not been able to point out as to how the Aam Sabha of the Ward Members / Selection Committee would be called for holding its meeting.

Under the aforesaid circumstances, the petitioner is directed to make a detailed representation before the District Magistrate, Samastipur who shall look into the matter and direct the relevant person to initiate the process of summoning of the Ward Members for appointment of Anganwari Sewika / Anganwari Sahayika against the advertisement of 2016. It is rather astonishing to note that despite the post of Anganwari Sewika / Anganwari Sahayika remains vacant a particular centre and advertisement having been published way back in the year 2016, nothing has been done in that regard and no attempt was made by the authorities to know as to why the



first meeting which was scheduled on 31.10.2016 got cancelled and thereafter no schedule was fixed for the meeting of the committee.

The District Magistrate, Samastipur shall disposed off such representation by a reasoned order and shall take steps for summoning of the Aam Sabha as early as possible.

With the aforesaid observation / direction, this petition stands disposed off.

**(Ashutosh Kumar, J)**

skm/-

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