

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7837 of 2015**

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Shanti Devi Wife of Sri Chotelal Manjhi. Resident of village - Badarjimi, Post  
- Panditpur, District - Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, I.C.D.S. Social Welfare Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Saran Division, Saran.
4. The Deputy Director, Welfare, Saran Division, Saran.
5. The District Magistrate, Saran at Chapra.
6. The District Programme Officer, Saran at Chapra.
7. The Child Development Project Officer, Lahladpur, District - Saran at Chapra.
8. The Ward Member, Ward No. 9, Gram Panchayat Raj Kishunpurlauar, Block - Lahladpur, District - Saran
9. Smt. Manju Devi. Wife of Sadhu Rai. Resident of village - Badarjimi, P.O.- Dhamsar, P.S.- Janta Bazar, Prakhand - Lahladpur, District - Saran.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Umesh Kumar Mishra |
| For the State        |   | Mr. Zaki Haider       |
| For Pvt, Respondent  | : | Mr.Mahesh Nr. Prabat  |
|                      |   | Mr. Ved Prakash       |

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      17-07-2019                      Heard counsel for the petitioner and counsel for the respondents-State as well as learned senior counsel appearing for respondent no.9.

Petitioner has assailed the order dated 23.06.2012 issued by the District Magistrate, Saran canceling the selection of the petitioner as Anganbari Sahika. The Divisional Commissioner was approached in appeal by one of the parties.



Appeal has been rejected placing reliance on the circular issued by ICDS dated 17.05.2013 whereby appeal forum was changed. Rejection of appeal is also assailed in the instant proceedings.

The brief background is that Aam Sabha was conducted on 22.01.2011 for selection of Anganbari Sevika and Anganbari Sahaika for center no. 72. Proceedings was disturbed by anti-social elements. On the direction of the District Magistrate, Aam Sabha was held on 17.01.2012. On 23.06.2012, District Magistrate passed an order in Anganbari Case no.03/2012 on the basis of earlier merit list of Aam Sabha held on 22.01.2011. Selection process was completed. Petitioner emerged successfully in the said selection process for being selected as Anganbari Sahika. Petitioner's selection is by virtue of her identity as scheduled caste having regard to the decision of the ICDS Directorate dated 04.11.2011. The decision dated 04.11.2011 requires giving preference to scheduled castes candidates in the matter of appointment of Anganbari Sahika.

Selection of the petitioner was assailed by respondent no.9 on the ground that decision of ICDS Directorate dated 04.11.2011 could not be made applicable to the selection process initiated on 22.01.2011. The Collector had upheld the challenge of respondent no.9 and directed for proceeding afresh.



This court does not find any infirmity in the decision of the Collector dated 23.06.2012. Selection process has been initiated which has to be conducted as per terms and conditions contained in Advertisement. The authorities have relied upon decision of the ICDS Directorate dated 04.11.2011 which is much subsequent to initiation of process of selection dated 22.01.2011. It is only in public interest that process of selection is conducted afresh. Order of the Collector does not require any interference by this court.

Writ petition stands dismissed.

**(Madhuresh Prasad, J)**

s.hassan/-

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