

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6788 of 2015

Binod Kumar son of Late Hari Nandan Prasad Gupta Resident of Mohalla-
Maharajganj near Badi Devi Asthan, P.O. Gulzarbag, P.S. Alamganj, District-
Patna.

... .. Petitioner

Versus

1. The State Of Bihar through Chief Secretary, Govt. of Bihar Patna
2. The Principal Secretary, Department of Welfare, Government of Bihar, Patna.
3. The District Magistrate, Patna, District- Patna.
4. The District Welfare Officer, Patna, District- Patna.
5. The District Programme Officer, Patna, District- Patna.
6. The Child Development Project Officer, Sadar 4, District- Patna.
7. Smt. Jyoti Devi wife of Sri Binod Kumar Resident of Mohalla- Kajibag, P.O.- Gulzarbag, P.S. Alamganj, District- Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. S.B.K.Mangalam Mr. Chandan
For the Respondent/s	:	Mr.Prashant Pratap GP 2 Mr. Lala S.N.Ravi, AC to Gp 2

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-04-2019 Mr. Mangalam, appearing for the petitioner, submits that since there was no valid notice regarding *Aam Sabha* and the procedure was contrary to 2011 guidelines this Court should interfere with selection as a result of such irregular procedure done in favour of respondent No. 7.

Counsel for the State, on the other hand, submits that guidelines of 2011 as it stands upon amendment with effect from 17.5.2013, provides adequate remedy to the petitioner to raise the issue regarding irregularity in selection before the



authorities prescribed in the amendment dated 17.5.2013.

Having considered the submission this Court would find that the issue of irregularity in the matter of selection are amenable primarily before the District Programme Officer and thereafter appeal before the Deputy Director Welfare posted in office of Divisional Commissioner and other authorities specified under the amended Clause 10(3) and 10(4) of 2011 guidelines.

Having regard to the availability of the remedy before the authorities which are competent to examine the issues based on facts with reference to the records, and after hearing the parties concerned this Court does not find any reason to exercise discretion to take up the issue at the moment when an adequate and efficacious remedy is available to the petitioner under the guidelines itself.

Accordingly, the writ petition is dismissed.

(Madhuresh Prasad, J)

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