

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17086 of 2019

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Sugyanti Devi, Wife of Santosh Ram, Resident of Village- Laiya Tola, Ward No. 01, Post- Pipra Pakri, P.S.- Muffasil, Bettiah, district- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The District Magistrate West Champaran, Bettiah.
3. The Child Development Project Officer, West Champaran, Bettiah.
4. The District Programme Officer, West Champaran, Bettiah.
5. The District Welfare Officer, West Champaran, Bettiah.
6. The Mukhiya Ahbaram Jharia Panchayat, West Champaran, Bettiah.
7. The Panchayat Secretary, Ahbar Jharia Panchayat, West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Gupta, Advocate
For the State	:	Mr. Sunil Kumar Mandal, S.C.-3
		Mr. Ravi Ranjan Kumar Singh, A.C. to S.C.-3

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 17-10-2019

Heard learned counsel for the parties.

2. The petitioner is working as *Sahaika* under an *Anganbari* Centre. It is her case that she has applied for her promotion as *Anganbari Sevika* pursuant to an advertisement. According to her, she is entitled to weightage of 10 marks for appointment/promotion as *Anganbari Sevika* on the ground of having worked as *Sahaika* at the same Centre. It is her grievance that a selection list has been prepared, but, weightage of 10 marks has not been given to her despite there being such provisions.



3. The Social Welfare Department, Government of Bihar (Directorate of ICDS), has issued revised guidelines on 27.05.2019 for selection of *Anganbari Sevika/Sahaika* under Integrated Child Development Services. The said guidelines provide some mechanism for consideration of complaints and appeal under Clause 11 and 12.

4. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner did approach the authorities repeatedly, but, no action has been taken so far. He further submits that till date, no appointment has been made on the basis of aforesaid selection.

5. In the facts and circumstances of the case, this application is disposed of with an observation that let the petitioner make her application/appeal under Clause 11 or 12 of the said guidelines, as the case may be, if any complaint/appeal is filed by the petitioner under Clause 11 or 12 of the guidelines within one month from today, no objection shall be taken on the point of delay in making such application or appeal. The complaint/representation/appeal must be disposed of by the competent authority within one month from filing of the same in accordance with law.



6. It will be open for the petitioner to plead before the authorities that since advertisement pursuant to which the selection has been made, was issued prior to coming into force of 2019 guidelines, the earlier guidelines shall determine the claim of the petitioner.

(Chakradhari Sharan Singh, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	N.A.

