

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23634 of 2019

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Bibi Shabnam W/o Md. Jawed Ansari Resident of Village- Ibrahimpur, Ward
No. 8, Police Station- Shahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner Cum- Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, Social Welfare Department, Bihar, Patna.
3. Commissioner, Bhagalpur Division, Bhagalpur.
4. District Magistrate, Bhagalpur.
5. Child Development Project Officer, Shahkund, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Respondent/s : Mr.Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-11-2019 Heard learned counsel for the parties.

2. The matter relates to selection for the post of Anganbari Sahiyaka for Centre Inbrahimpur Center Code No. 208, Ward No.8, Panchayat Sajaur, in the District of Bhagalpur. It is the petitioner's case that way back in July, 2013, an advertisement was issued, inviting applications against which the petitioner and others had applied. It is her further case that an Aam Sabha was held in 2013 by which merit list prepared for selection, was approved. The petitioner was at serial No.2. The applicant, who was placed at serial No.1 in the merit list, had refused to join.



3. She has a grievance in the present writ application that instead of acting on the merit list approved by the Aam Sabha in 2013, recently in September, 2019, the Child Development Project Officer has come out with a fresh advertisement, inviting applications for the said post. A letter dated 20.09.2019 has been brought on record by way of Annexure-3 to the writ application, which indicates that Aam Sabha was proposed to be convened on 28.09.2019 for the purpose of selection.

4. Learned counsel for the petitioner has vehemently argued that the respondents ought to have proceeded with the previous selection list of 2013.

5. Learned Government Advocate No.7 appearing on behalf of the State of Bihar has submitted that the petitioner was a ward member on the date when the last Aam Sabha was held in 2013 and, therefore, she was not eligible and entitled to be considered for her selection in terms of the guidelines, which were in vogue at the relevant point of time.

6. Be that as it may, I am not inclined to interfere with the impugned action of the Child Development Project Officer in the background of the facts, which have been averred in the writ application. If the petitioner has any grievance, she



can raise the same before the District Programme Officer by making an appropriate application, in accordance with law.

7. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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