

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2144 of 2020

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Chandra Kala Devi W/o Ramrup Chaudhary @ Ramarup Choudhary R/o
Village Khaira Ward No. 15, Post- Imadchatti, P.S.- Bhairavsthan,
Jhanjharpur, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Social Welfare, Bihar, Patna.
2. The Director, Department of Social Welfare, I.C.D.S., Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The District Programme Officer, I.C.D.S., Madhubani.
5. The Sub-Divisional Officer, Jhanjharpur, District Madhubani.
6. The C.D.P.O., Jhanjharpur, District Madhubani.
7. The Lady Supervisor, Jhanjharpur, District Madhubani.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Fakhruddin Ali Ahmad
For the Respondents : Mr. Binay Kumar, AC to SC-10

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-02-2020 The matter relates to selection of Anganbari Sevika for Anganbari Centre No. 205, Ward No. 15, under Kako Panchayat of Madhubani district. A selection process was initiated against which the petitioner had applied, as asserted in the writ application. She figured at the top in the proposed merit list. However, her eligibility has been questioned by other aspirants leading to an enquiry, held jointly by the Sub Divisional Officer, Jhanjharpur and the District Programme Officer, I.C.D.S., Madhubani, under the orders of the District Magistrate, Madhubani. They have concluded in their report that



the dual requirement of being an elector of the area and resident of the ward in question, i.e., Ward No. 15, is not fulfilled by the petitioner.

It is also the petitioner's case that till date the District Magistrate has not taken any final decision on the joint report of the Sub Divisional Officer, Jhanjharpur and the District Programme Officer, Madhubani, though the report was submitted in November, 2019 itself.

This writ application has been filed in the aforesaid background as the petitioner apprehends that if the matter is finally placed before the *aam sabha* for selection, her case may not be considered in the light of the said joint report.

Learned counsel appearing on behalf of the petitioner has drawn my attention to a letter issued by the I.C.D.S. Directorate under Social Welfare Department, Government of Bihar, vide No.2222 dated 25.05.2018 to contend that modified provision, as contained therein, have been overlooked/misread in the joint report of the Sub Divisional Officer, Jhanjharpur and the District Programme Officer, Madhubani.

Considering the facts and circumstances of the case, this application is disposed of with an observation that the District Magistrate will be required to ensure that the



petitioner's claim on the plea of her eligibility is determined
first before holding the *aam sabha* for selection.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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