

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.111 of 2020

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Usha Devi, Wife of Chumman Chaudhary, Resident of Village-Dariya Chapra, Presently Member of Ward-11, cum-Chairman of Anganwari Selection Committee at Centre 387, Ward-11, Grampanchayat Bariyarpur (South), P.S. Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director Integrated Child Development Services (I.C.D.S.), Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Muzaffarpur.
4. The District Programme Officer, Muzaffarpur.
5. The Block Development Officer, Motipur (Baruraj).
6. The Child Development Project Officer, Motipur.
7. The Lady Supervisor of Centre 387, Ward-11, Grampanchayat-Bariyarpur (South) Motipur, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Babu Rai, Advocate
For the State	:	Mr. Sunil Kumar Mandal, S.C. 3
		Mr. Arjun Prasad, A.C. to SC. -3
		Mr. Bipin Kumar, A.C. to SC-3
		Mr. Ravi Ranjan Kumar Singh, A.C. to SC-3

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2020 Heard learned counsel for the parties.

2. The petitioner claims that he is member of Ward No. 11-cum-Chairman of Selection Committee of *Anganbari Sevika* of Ward-11 at Centre No. 387 and had presided the Aam Sabha held on 24.07.2019 with the Lady Supervisor cum Member Secretary of the Selection Committee for appointment to the post of *Anganbari Sevika*. She is seeking following



directions:

(i) For issuance of writ in the nature of MANDAMUS to issue selection cum-appointment letter to the eligible and appropriate applicant/candidates who had applied for Centre No. 387, Ward No. 11, within prescribed period enumerated in the merit list properly prepared by the lady Supervisor-cum-Secretary passed and approved in Aam Sabha held on 24.07.2019 presided by the petitioner member of Ward-11 cum – Chairman of Selection Committee (of Anganbari Sevika for Centre No. 387 of Ward – 11) under panchayat Bariyarpur (South) Block – Motipur, Muzaffarpur. (Annexure-2).

(ii) For issuance of a writ directing the Lady Supervisor; respondent (7) to be not issued Selection Letter; to non-applicant/candidate for centre 387, of ward-11 who had applied for centre 386, ward-10 and her name is enumerated at sl.no. 4 in merit list of centre 386 ward 10 Grampanchayat Bariyarpur (South) Motipur (Annexure-3)

(iii) To restrain the respondent to non issuance of selection letter depriving the petitioner from legitimate signatory right conferred by the department of Government to the Chairman cum-Member of Ward-11.

(iv) For set up an enquiry team/committee to be enquired into the irregularities and manipulation committed in selection process on part of the lady Supervisor cum Secretary contravening the rule of guidelines of the Department Social Welfare with



regard to issuance of selection letter to the non-applicant/candidate for ward-11 at centre-387 and her name is not enumerated/figured in merit list.

(v) For direction to the lady Supervisor, respondent – 7 to issue a fresh selection letter to the eligible/appropriate applicant whose name enumerated in the merit list in order to marks, merit and seniority pursuant to guidelines among the merit list of Ward-11 for Centre-387.

3. This writ application, in court's opinion, lacks *bona fide*.

4. The petitioner can't be said to be a person aggrieved. A person, who has been lawfully selected and yet not appointed may raise her claim before appropriate authority under the guidelines issued by the Social Welfare department, Government of Bihar. The petitioner has no *locus standi* to maintain this application.

5. This writ application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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