

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7520 of 2020

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Neelu Kumari, Wife of Randhir Kumar, Resident of Village-Rasulpur, Gram Panchayat Sohraiya, P.S. Paras Bigha, Block Ratni faridpur, District Jahanabad.

... .. Petitioner/s

Versus

1. The State of Bihar thorough Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Child Development Project, Bihar, Patna.
3. The District Magistrate, Jahanabad, District Jahanabad.
4. The District Programme Officer, Jehanabad.
5. The Child Development Project Officer, Block Rafnifaridpur, District-Jahanabad.
6. The Gram Panchayat Sohraiya through its Panchayat Secretary, Block Ratnifaridpur, District Jehanabad.
7. The Selection Committee, Anganwari Centre No. 173 through its Chairman-Cum-Ward Member, Gram Panchayat Sohraiya, Block Ratnifaridpur, District-Kejamabad

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Dhananjay Kumar, Advocate
		Mr. Gyanendra Kumar Singh, Advocate
For the S t a t e	:	Mr.S.K. Mandal S.C.-3

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT
Date : 17-02-2021

The matter has been listed today for consideration through video conferencing.

2. Heard learned counsel for the petitioner and the learned counsel for the State.

3. After detailed arguments, the situation that emerges is that finding a mistake in the process of selection, the petitioner, though selected as Sevika, was not sent for training.



The authorities thereafter embarked on a fresh advertisement for selection to the Centre in question, namely, Ward No.4. The Child Development Project Officer thereafter, under communication dated 24.09.2020, has written to the District Programme Officer that before the process of fresh selection culminates in appointment of an Anganwari Sevika, it is desirable that the petitioner be given an opportunity of hearing and steps be taken, in accordance with law, for cancellation of her selection. The communication dated 24.09.2020 is Annexure D to the counter affidavit.

4. The petitioner's counsel raises an apprehension that since process of selection has taken place afresh, the authorities may proceed to offer the responsibility of Sevika for the Centre in question to the person who has emerged successful in the new selection process.

5. Such apprehension appears to be unfounded. The communication of the Child Development Project Officer dated 24.09.2020 is clear that the authorities are of the opinion that steps are required to be taken for cancellation of the petitioner's selection after giving her a due opportunity of hearing. In view of such decision of the respondent-authorities, the apprehension of the petitioner that prior to such exercise, a person would be



placed as a Sevika in her place is totally unfounded.

6. The learned State Counsel also submits that till date, Sevika has not been appointed at the Centre in question and the Centre has been attached to another Anganbari Kendra Office locality for dissemination of the social welfare measures.

7. In the circumstances, the writ application is disposed of.

8. This Court would only observe that the process for cancellation of the petitioner's selection, pursuant to the communication dated 24.09.2020, should be expedited and the same is required to be conducted, in accordance with law, after giving due opportunity to the petitioner and all other concerned.

(Madhuresh Prasad, J)

PNM

AFR/NAFR	NAFR
CAV DATE	N.A.
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