

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6548 of 2020

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Sulatana Khatun @ Sultana Khatoon Wife of Md. Shamsheer Alam resident of Ward No- 11, Village and P.O.- Mansurpur Halaiya, P.S.- Goraul (Kathara-O.P.), Distt.- Vaishali, PIN- 844112.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, I.C.D.S., Bihar, Patna.
3. The District Magistrate, Vaishali at Hajipur.
4. The District Programme Officer, Vaishali at Hajipur.
5. The C.D.P.O., Block- Chehra Kalan, Vaishali.
6. The Adhyaksh-cum- Ward Member, Ward No.- 11, Village- Mansurpur Halaiya, P.S. Goraul (Kathara O.P.), Distt.- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra
For the Respondent/s : Mr. S.K. Mandal (Sc3)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 08-02-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioner has prayed for the following relief/reliefs:

“That by way of this writ application, the petitioner craved indulgence of this Hon’ble Court for an order(s)/direction to the respondents for selection of the petitioner(s) on the post of Anganbari Sevika in Ward No. - 11, Anganbari Centre No. - 138, Block – Chehra Kalan in the District of Vaishali as she is at serial no. - 1 in the merit list and fulfills all the criteria for appointment on the said post.”



3. Learned counsel for the 5th respondent submitted that there were certain errors in the advertisement dated 17.07.2018. Consequently, it was re-advertised in the year 2019, thereafter, also it was noticed that there were certain errors in the 2019 advertisement. Once again it was re-notified. In this backdrop it is to be noted that earlier first advertisement dated 17.07.2018 has not been withdrawn/cancelled. In other words, abruptly the concerned authority proceeded to re-notify the vacancy of Anganbari Sevika in Ward No. 11, at Anganbari Centre No. 138, Block Chehra Kalan in the District of Vaishali. Thus, the 5th respondent is not firm in notifying the vacancy of Anganwari Sevika which has let the petitioner to present this petition. Having regard to the later development that 5th respondent has re-notified the vacancy of Anganwari Sevika for the aforesaid Centre, the present petition do not survive for consideration.

4. Accordingly, the present petition stands disposed off, reserving liberty to the petitioner to file a fresh petition if petitioner is aggrieved by the fresh notification. Fifth respondent is liable to pay litigation cost and it is quantified @ Rs. 10,000/- to the petitioner for the reasons that petitioner has been misdirected like without withdrawing and cancelling first advertisement dated



17.07.2018. Cost shall be paid to the petitioner within a period of two months from the date of receipt of this order.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

