

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.538 of 2020

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Seema Kumari, wife of Pawansut Kumar, resident of Village- Sakrauli, Gram Panchayat, Badhupur, Block- Mohania, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar through Principle Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The District Magistrate, Kaimur (Bhabhua).
3. The District Programme Officer, Kaimur (Bhabhua).
4. The Child Development Project Officer, Mohania.
5. Manju Devi wife of Ravi Ranjan Chaudhary Resident of Village- Sakrauli, P.O.- Badhuapar, Block- Mohania, District- Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Shashi Bhushan Kumar, Advocate
For the State	:	Mr.Md. Raisul Haque, SC10
		Mr.Md.Obaidullah, AC to SC10

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 06-09-2022

Heard learned Counsel for the petitioner and the learned
Counsel for the State.

The admitted facts are that on two dates Aam Sabha was conducted for selection of Sevika to the Anganwadi Centre in question and on both dates the proceedings were frustrated and futile. Thereafter, the petitioner claims to have been selected by the District Programme Officer under the selection letter, which has no date but refers to an Aam Sabha dated 17.05.2018. The petitioner's selection has been canceled by the District Magistrate under the impugned order for the simple reason that



since no selection could be made on two dates, the procedure applicable was convening of a special Aam Sabha in terms of the letter dated 25.05.2018, amending the 2016 Guidelines, for selection of Sevika and Sahayika in question.

The learned Counsel for the petitioner has made two fold submissions. One, that since the petitioner had already been selected in Aam Sabha dated 17.05.2018, the letter dated 25.05.2018 would have no application and, secondly, that she had emerged as the most eligible candidate in the Aam Sabha and, therefore, she has been issued the selection letter.

The submission is not based with reference to any merit panel or any proceedings of alleged Aam Sabha dated 17.05.2018. There is no such record to show that any Aam Sabha was convened on 17.05.2018. The selection letter issued to the petitioner, which is Annexure-2, also does not contain the date below signature of the issuing authority. The facts are glaring from the records regarding the selection being without any compliance with any procedure whatsoever and without reference to any dates so as to lend any credence to the petitioner's selection.

The Court does not find any reason to interfere with the order passed by the District Magistrate.



Writ application is dismissed.

(Madhuresh Prasad, J)

shashank/-

AFR/NAFR	NAFR
CAV DATE	NA
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