

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4201 of 2023

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Bibi Umme Aban W/o Ala Uddin, Resident of Village- Bhansiya, Ward No. 01, P.S. - Mahalgaon, Anchal - Jokihat, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, ICDS Department, Govt. of Bihar, Patna.
4. The District Magistrate, Araria.
5. The District Program Officer (ICDS), Araria.
6. The Child Development Officer, Jokihat, Araria.
7. The Lady Supervisor namely Saba Naznin of C.D.P.O Office Jokihat, Araria.
8. Sakina, W/o Muslim, Ward Member-cum-President of Selection Committee, Panchayat Bhansiya, Ward No. 01, District- Araria.
9. Ronaque Jahan, W/o Shakil Ahmad, Resident of village - Bhansiya, Ward No. 01, P.S. Mahalgaon, District - Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Adv.
For the Respondent/s : Mr. Md. Raisul Haque (SC 10)
Md. Obaidullah, AC to SC-10

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-09-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner is an unsuccessful candidate in the process of selection of 'Aaganwari Sevika' at center no. 22. The petitioner was not selected. In the circumstances, she approached the District Programme Officer, (ICDS) Araria (respondent no.5) assailing the selection of private respondent no. 9. The petitioner's claim was rejected by the District



Programme Officer, by order dated 20-08-2020, as contained in Annexure-2 to the writ petition. The same is subject matter of the instant writ proceedings.

3. At the very outset, learned State counsel raises an objection regarding the writ petition suffering with the vice of delay and latches. The selection of private respondent no. 9, which has been done more than 3 years back, sought to be put in issue in the instant proceedings by challenging the order of the respondent no. 5 dated 20-08-2020 (Annexure-2).

4. The Court, upon consideration of the rival submissions, finds force in the preliminary objection raised by the State counsel. The selection of private respondent no. 9 has attained finality now at least for three years. The petitioner cannot be permitted to casually assail the crystallized third party rights of private respondent no. 9 at her own pleasure, as and when she deems fit.

5. The writ petition is found to be barred by delay and latched. The same is dismissed.

(Madhuresh Prasad, J)

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