

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6562 of 2022

=====

Shabnam Sultana W/o Shafique Anjum, Resident of Shrbahada Dih,
Shrbahada, Gaya, Bihar-823311.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Additional Chief Secretary, General Administration Department,
Government of Bihar, Old Secretariat, P.S.-Sachivalaya, Distt.-Patna.
3. The Principal Secretary, Social Welfare Department, Government of Bihar,
Old Secretariat, P.S.-Sachivalaya, Distt-Patna.
4. The Director, Integrated Child Development Scheme, (ICDS), Directorate,
Secretariat, P.S.-Sachivalaya, Distt.-Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Ms.Roona, Advocate
For the Respondent/s	:	Mr.P.K. Verma (AAG-3)
		Mr. Suman Kumar Jha, AC to AAG-3

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2023 The present writ petition has been filed
seeking the following reliefs:-

“1.(i) For a direction upon the Respondents to consider the case of the petitioner for promotion to the post of Lady Supervisor on the basis of her seniority and by relaxing the stipulation of upper age limit of 45 years for such promotion.

(ii) For quashing of part of Letter No. 775 dated 17.02.2022 as contained in Annexure-P/5 whereby 50% of the posts of Anganbari



Supervisor has been directed to be filled up by Anganbari Sevikas in the light of departmental guidelines No. 1846 dated 10.06.2010 and further for quashing of Clause-V of the Guidelines/Resolution No. 1846 dated 10.06.2010 as contained in Annexure-1 (Page No. 20) whereby upper age limit for selection as Anganbari Supervisor has been fixed as 45 years and the same is also being applied for promotion from the cadre of Anganwari Sevika.

(iii) For declaration/clarification that the age limit prescribed between 18 years to 45 years is for new recruits for whom 50% posts of Anganbari Supervisor has been reserved and not for those who are to be promoted from Anganbari Sevika to Anganbari Supervisor against remaining 50% posts which are earmarked for promotion and further for declaration that there should not be any stipulation of age limit for promotion to the post of Angnawari Supervisor.

(iv) For a direction upon the Respondents not to disqualify the



petitioner for promotion to the post of Supervisor on the ground of having attained more than 45 years of age as constitutionally no age is prescribed for promotion specially when the process of promotion was undertaken long back and there has not been any promotion from the post of Anganbari Sevika to Anganbari Supervisor in last several years.”

2. At the outset, the learned counsel for the petitioner has referred to an order dated 01.02.2023 passed by the learned Division Bench of this Court in L.P.A. No. 105 of 2022, wherein it has been noted that the State Government has already taken a policy decision on 29.01.2023 and relaxed the age criteria for appointment of Lady Supervisor from amongst the Anganbari Sevikas.

3. The learned counsel for the respondent-State has not disputed the aforesaid factual position, hence submits that the age relaxation granted vide aforesaid letter/order dated 29.01.2023, issued by the Director, Integrated Child Development Services, Bihar, Patna shall also



be applicable to the petitioner.

4. Accordingly, I deem it fit and proper to dispose off the present writ petition taking note of the aforesaid letter/order dated 29.01.2023, issued by the Director, I.C.D.S., Bihar, Patna.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

