

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22559 of 2013

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Tajda Parween Lady Supervisor Daughter Of Md. Mohsin Singhawara,
Darbhanga Resident Of Paighambarpur, P.S. Keoti, District - Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Social Welfare Department, Bihar, Patna
3. The Director, Directorate Of I.C.D.S., Darbhanga
4. The District Selection Committee, Darbhanga Through Its Chairman
5. The District Magistrate - Cum - Chairman District Selection Commission,
Darbhanga
6. The District Programme Officer, I.C.D.S., Bihar, Patna
7. The C.D.P.O., Singhawara, District - Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar
For the Respondent/s : Mr.Ashok Kumar Keshri

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-06-2023 The present writ petition has been filed seeking the
following relief:-

“1. That this application is being filed for
issuance of an appropriate writ/writs or
order/orders in nature of the certiorari for
quashing/setting aside the proceeding of District
Selection Committee under the Chairmanship of
Respondent No. 5 held on 02/05/2013 for
extension of contract period of the petitioner for
the post of Lady Supervisor under the I.C.D.S.,
Social Welfare Department, Bihar, Patna
communicated by Memo No. 960 dated
27/05/2013 under the signature of the



respondent No. 5 (contained in annexure-5) by which the petitioner, her name is appearing at Serial No. F has not been given extension of her contract period for the said post and further for declaring the examination held on 24/04/2013 taken by the Respondent No. 5 for extension of contract period for the Lady Supervisor null and void and further in the nature of mandamus for directing and commanding the respondent authorities to give extension of contract period for the said post to the petitioner following terms and condition of agreement and also guideline issued by the Directorate of I.C.D.S., Bihar, Patna and further any other relief or relief's for which the petitioner is entitled in the facts and circumstances of the instant case for the ends of justice and equity in favour of the petitioner.”

At the outset, the learned counsel for the Respondent-State has submitted by referring to the counter affidavit, filed in the present case that the tenure of the petitioner on the post of Lady Supervisor was purely contractual in nature for a period of one year, which has already ended long back on 24.1.2013, hence, there is no merit in the present writ petition. However, it is submitted that the District Magistrate-cum-Chairman District Selection Committee, Darbhanga, vide letter dated 21.2.2013,



decided to conduct a written test for assessment of the work performance and knowledge of the Lady Supervisors and the test was held on 24.2.2013, wherein cut off / pass marks was prescribed as 40%, nonetheless, as far as the petitioner is concerned, she could obtain only 38 marks. Thus, it is submitted that even on merits, the petitioner has got no case, inasmuch as she could not qualify the written examination. It is also submitted that skill/ ability test was also conducted wherein also the petitioner failed.

Having regard to the facts and circumstances of the case and considering the fact that the contract period of the petitioner on the post of Lady Supervisor has already lapsed long back on 24.1.2013 and thereafter, she could not qualify/pass either in the written examination or in the ability / skill test, I do not find any merit in the present writ petition, hence, the present writ petition stands dismissed.

(Mohit Kumar Shah, J)

Ajay/-

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