

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19440 of 2018

=====

Nisha Kumari W/o Ranjeet Kumar Das, Resident of Village- Mirjapur, P.O.-
Golahatti, Ward No.01, P.S.- Baunsi, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, I.C.D.S. Bihar, Patna.
3. The District Magistrate, Banka.
4. The District Programme Officer, Banka.
5. The Child Development Project Officer, Baunsi, District- Banka.
6. The Block Development Officer, Baunsi, Bank.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Prahalad Kumar Bhagat, Adv
For the Respondent/s : Mr.Sunil Kumar Mandal -Sc3

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-09-2024 Learned Counsel for the petitioner and Learned
Counsel for the State are present.

2. The present writ petition has been filed for directing the respondents to appoint the petitioner as Anganwari Sevika in Aanganwari Centre No. 230, Ward No. 01 in Gram Panchayat Raj Sikandarpur under Baunsi Block (Banka). Further prayer has been made for a direction to the respondent- District Programme Officer, I.C.D.S, Banka, to pass a reasoned and speaking order in Appeal No. 55 of 2018 filed by the petitioner. Further prayer has been made for directing the respondent not to select any Sevika other than petitioner for



Centre No. 230, Ward No. 01 in GramPanchayat Sikandarpur.

3. Learned Counsel for the petitioner submits that this advertisement has come in the year 2014 and during the pendency of the litigation, a fresh advertisement has come in the year 2019 in which petitioner has also appeared but intentionally her selection was not made inspite of the fact that she was on the 2nd position whereas the candidate who was on 3rd position was selected.

4. Learned Counsel for the State submits that the present writ petition has been filed for the dispute relating to advertisement of the year 2014 and the dispute relating to the year 2019 cannot be entertained in the present writ petition because the dispute relating to the year 2019 shall create a fresh cause of action to the petitioner.

5. In the light of submissions made, the present writ petition which has arisen from Advertisement of the year 2014 has become infructuous as petitioner has opted to appear in the fresh Advertisement of the year 2019 and the dispute with regard to the Advertisement of the Year 2019 cannot be entertained in the present writ petition as the Advertisement of the year 2019 creates separate cause of action for the petitioner, therefore, the present writ petition is dismissed as having



become infructuous.

6. It goes without saying that for Advertisement of the year 2019, if petitioner has any grievances, he has separate cause of action for the same and petitioner is at liberty to avail the remedy in accordance with law.

(Dr. Anshuman, J)

Sunnykr/-

U			
---	--	--	--

