

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13329 of 2012

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Raj Kumari Wife Of Sri Balkrishna Prasad Resident Of Village And Post-
Mankipar, P.S.- Kadirganj, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Social Welfare, Govt. Of Bihar, Old Secretariat, Bailey Road, Patna
2. The Commissioner, Patna Division, Patna
3. The Director, I.C.D.S., Indira Bhawan, Patna- 1
4. The Director, Department Of Social Welfare, Govt. Of Bihar, Old Secretariat, Bailey Road, Patna
5. The District Magistrate, Patna, District- Patna
6. The District Programme Officer, District- Patna
7. The Sub-Divisional Officer, Masaurhi Sub-Division, Dist.- Patna
8. The Child Development Project Officer, Dhanarua Block, District- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar, Advocate
For the Respondent/s	:	Mr. Md. Khurshid Alam, AAG 12
		Mr. Nutan Sahay, AC to AAG 12

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 04-03-2024

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The present writ petition has been filed for directing the respondent authority to appoint the petitioner on the post of Lady Supervisor out of 25% of seats reserved for Anganwari Sevika and the petitioner has 26 years of experience of Anganwari Sevika and the respondents has denied the appointment of the petitioner of Lady Supervisor on the ground



that the petitioner has crossed the age limit as prescribed for the said post.

3. Learned counsel for the petitioner submits that the petitioner has joined as Anganwari Sevika on 03.11.1984. Pursuant to the advertisement which was published in the newspaper for appointment of Lady Supervisor in the Department of Social Welfare the petitioner has applied on 21.07.2010 for the same on the basis of her 26 years of work experience and educational qualifications. He further submits that despite of the fact that the petitioner belongs to OBC category, no relaxation of age was given to her.

4. Learned counsel appearing on behalf of the State submits that he has filed a counter affidavit as well as supplementary counter affidavit clearly stating that in compliance of the order dated 29.01.2024 the District Programme Officer, Patna vide letter no. 277 dated 05.02.2024 has sought guidelines from the Director, ICDS, Bihar, Patna. In reply to the aforesaid letter, the Director, ICDS, Bihar, Patna vide letter no. 995 dated 09.02.2024 has sent his opinion wherein it has been stated that the Rules with regard to the appointment of the Lady Supervisor on contractual basis has been framed vide resolution no. 1846 dated 10.06.2010 issued



by the Social Welfare Department, Government of Bihar. As per para (iv) (2) (ka) of the said guidelines, the age limit of the 45 years has been fixed for appointment on the post of Lady Supervisor from the Anganwari Sevika and it is admitted fact that the petitioner has crossed the prescribed age limit of 45 years, therefore, her candidature has rightly been rejected by the authority concern.

5. Considering the aforesaid facts and circumstances, there is no merit in the writ petition and same stands dismissed.

(Rajesh Kumar Verma, J)

Vanisha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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