

Nirupama Goswami wife of Jitendra Kumar Giri, resident of Mohalla Bikaramganj, Ward no.- 11, Gosai Muhalla, P.S. Bikaramganj, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Social welfare department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Social welfare department, Govt. of Bihar, Patna.
3. The Director, Social welfare department, Govt. of Bihar, Patna.
4. The District Magistrate, Gopalganj.
5. The Assistant Director, District Child Protection Unit (ADCPU), Gopalganj.

... Respondent/s

For the Petitioner/s : Mr. Yugal Kishore, Adv.
For the Respondent/s : Mr. Madanjeet Kumar, GP20

2 01-07-2025 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed with the following reliefs:-

i). for issuance of writ in the nature of Certiorari or an appropriate writ for setting aside the advertisement dated 21/05/2025 issued vide Letter No. 496/2025 under the signature of The Assistant Director, District Child Protection Unit (ADCPU), Gopalganj i.e. respondent no.- 5 by which advertisement for contractual appointment of Social worker cum early childhood educator of Child welfare department of Gopalganj has issued and while issuing the advertisement no.- 01/2025 the respondent no.- 5 as well as other respondents failed to consider the employment position of the



petitioner and other candidates and also failed to consider that the petitioner, who is working in her department from 08/12/2016 till now on contractual basis should be firstly absorbed on the post of Social worker cum early childhood educator on basis of her work experience and her service should be regularized as permanent staff of the department.

ii). For issuance of writ in the nature of mandamus commanding and directing the respondents to give age relaxation in advertisement no. 01/2025 of 10 years, as the advertisement for the post of Social worker cum early childhood educator has published after year 2016 i.e. after laps of 10 years and the respondent have not given any age relaxation to those candidates who are working in department from long back and the respondents have fixed age as 45 years maximum, and the same has done without giving any age relaxation and as such age relaxation should be given to the petitioner from year 2016 itself i.e. of 10 years.

iii). For issuance of writ in the nature of the mandamus for commanding and directing the respondent authorities firstly to get regularized the service of the petitioner on her post and give job security and there after advertise the remaining vacancies as per their requirement/ needs be filed up by calling open application.

iv). For issuance of a writ in the nature



of Mandamus commanding and directing the respondents to consider the application form applied on 09/06/2025 by the petitioner for her re-appointment in advertisement no.- 01/2025 as firstly the petitioner is working as social worker cum early childhood educator from near about 10 years and secondly the petitioner has also experience of 10 years for holding such post, so such age relaxation and experience waitage should be considered as extra advantage to the department and as such waitage for should be given to the petitioner.

3. Learned Counsel for the petitioner submits that by virtue of filing the present writ petition, the petitioner has demanded the first relief to set aside the advertisement dated 21.05.2025 in addition to that she has demanded to issue writ of mandamus from this Court in other 4 reliefs. The petitioner has filed representation which is Annexure-P/11 of the writ petition on which no decision has been taken by the authority.

4. Counsel further submits that respondent No.3 is the competent authority, who has to take decision on the said representation.

5. Counsel for the respondent submits that from the annexure, it transpires that the petitioner has not represented before the respondent No.3 instead thereof, she has represented



before the respondent No.5. Therefore, he submits that the petitioner may be directed to file a fresh representation before respondent No.3.

6. In the light of the submissions made, the present writ petition is hereby disposed off directing the petitioner to file a fresh representation regarding her grievances before the Director, Social Welfare Department, Govt, of Bihar, Patna (respondent No.3) within 30 days along with this order and respondent No.3 shall pass take decision by virtue of a reasoned and speaking order on the same within 90 days after receiving the same thereafter.

7. It is made clear that this Court has not taken any decision with regard to setting aside the advertisement published, but discretion is at the hand of respondent No.3 as to take decision for the petitioner.

8. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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