

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11654 of 2025

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1. Kumari Ranjana, Wife of Mritunjay Prasad, 19 Neura Road, Khagaul, Near Manthan Danapur cum Khagaul, Patna, Bihar-801105.
 2. Babita Kumari, wife of Shree Mukesh Prasad, Resident of Gola Road, Post Office/Police Station-Danapur, Block-Danapur, District-Patna.

... .. Petitioner/s

Versus

1. The Director (ICDS) Integrated Child Development Service Patna Bihar.
2. The Additional Chief Secretary (ICDS), Patna, Bihar.
3. The Secretary, Social Welfare Ministry, Bihar.
4. The District Programme Officer, Patna.
5. The District Magistrate, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gautam Shah, Adv.

For the Respondent/s : Mr. Subhash Prasad Singh, GA-3

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-08-2025 Heard the parties.

2. The petitioners have approached this Court seeking a direction upon the respondent authorities, specially the Director, Integrated Child Development Services, Patna as also the Secretary of the concerned department to intervene in the matter and consider the claim of the petitioners and allowed them to participate in the process of employment for the post of Lady Supervisor on contractual basis, in terms with Advertisement No. 9 of 2024.

3. Learned Advocate for the petitioner at the outset, submits that the candidature of the petitioners have not been



considered, only on account of the fact that their participation in the strike has been erroneously treated as a breakage in service. The action of the respondent is wholly misconceived and unsustainable in view of the letter no. 4140 dated 01.10.2021 issued by the Deputy Director, Training, Directorate of Employment and Training, Bihar, Patna, the copy of which is marked as Annexure P/5. It is submitted that from abovenoted letter, it is evident that a conscious decision has been taken that the employees who had participated in the strike for 11 days for the period in question, that shall not be treated as a breakage in service on account of their participation.

4. Mr. Subhash Prasad Singh, learned Government Advocate No. 3 has submitted that from the record it appears that merit list has already been prepared, however, with respect to present position, instruction would be required.

5. Be that as it may, considering the submissions advanced by learned Advocate for the respective parties, the writ petition stands disposed off with a liberty to the petitioner to approach before the District Magistrate, Patna by filing a fresh representation bringing on record Annexure 5 to the writ petition alongwith the order of this Court preferably within a period of 2 weeks from today.



6. In case such a representation is filed, the claim of the petitioner shall be considered within a period of 8 weeks', in accordance with law and in case the claim of the petitioner finds favour, they would be allowed to participate in the selection process if they are otherwise found eligible.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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