

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15860 of 2025

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Priyanka Bharti, Wife of Ranjeet Kumar Ram, Resident of Village- Maghaili,
P.S.- Alamnagar, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department Govt. Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Education Department, Govt. Bihar, Patna.
4. The Director, I.C.D.S (Social Welfare Department) Govt. Bihar Patna.
5. The Divisional Commissioner, Koshi Division, Saharsa, Distt- Saharsa.
6. The Collector-Cum-District Magistrate, Madhepura.
7. The Addl. Collector, Madhepura, District- Madhepura.
8. The District Programme Officer, ICDS, Madhepura, District- Madhepura.
9. The Child Development Project Officer, Alamnagar, District- Madhepura.
10. The Mahila Supervisor, Alamnagar, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Advocate Mr.Deepak Kumar, Advocate Ms.Isha Mishra, Advocate
For the Respondent/s	:	Mr.Sanjay Kumar Ghosarvey, AC to AAG 3

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 17-11-2025 The case of the petitioner is that she was selected to the post of Aganwari Sevika in the Aganwari Centre No. 174, Gram Panchayat Singhar, Ward No. 10, within Alamnagar Block in the District of Madhepura, following procedure as contemplated for the selection of Aganwari Sevika. In the selection list, her name appeared in Serial No. 1 while the name of one Seema Praveen appeared in Serial No. 2. However, the said Seema Praveen was given appointment as Aganwari Sevika



in Ward No. 10 within Block Alamnagar.

2. The petitioner made a compliant before the State Programme Officer, stating, inter alia that in the merit list, her name was appearing in Serial No. 1 and moreover Seema Praveen to whom appointment was given, was a resident of Ward No. 11. So she was not entitled to be appointed as Aganwari Sevika in Ward No. 10. The said complaint was rejected.

3. The petitioner preferred an appeal.

4. During the pendency of the appeal Seema Praveen died. On the death of the Seema Praveen, the Collector of the District directed initiation of fresh recruitment of Aganwari Sevika in Aganwari Centre No. 174, Gram Panchayat Singhar, Ward No. 10.

5. The petitioner has challenged the said order on the ground that since the previous Aganwari Sevika died during the pendency of the appeal filed by the petitioner, the job of Aganwari Sevika should be allotted to her.

6. It is needless to say that an appointment is made on a post and not in respect of a person. When a person holding a particular post dies or the post remains vacant due to some reasons or the other, the proper course of the Appointing



Authority is to calculate the vacancy and initiate fresh proceeding for appointment to the post.

7. It is submitted by the learned Advocate for the State-respondents that the petitioner already made applicant for her appointment as Aganwari Sevika in the new process of recruitment. Since the post of Aganwari Sevika in respect of Aganwari Centre No. 174, Gram Panchayat Singhar, Ward No. 10, Block Alamnagar fell vacant due to the death of previous Aganwari Sevika, namely, Seema Praveen, the petitioner cannot be inducted in the said vacant post without holding selection process.

8. For the reasons stated above, this Court finds that the instant writ petition is misconceived and accordingly the same is dismissed.

(Bibek Chaudhuri, J)

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