
(2021) 02 PAT CK 0183

Patna High Court

Case No: Civil Writ Jurisdiction Case No. 7520 Of 2020

Neelu Kumari

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision: Feb. 17, 2021

Hon'ble Judges: Madhuresh Prasad, J

Bench: Single Bench

Advocate: Dhananjay Kumar, Gyanendra Kumar Singh, S.K. Mandal

Final Decision: Disposed Of

Judgement

1. The matter has been listed today for consideration through video conferencing.

2. Heard learned counsel for the petitioner and the learned counsel for the State.

3. After detailed arguments, the situation that emerges is that finding a mistake in the process of selection, the petitioner, though selected as Sevika,

was not sent for training. The authorities thereafter embarked on a fresh advertisement for selection to the Centre in question, namely, Ward No.4.

The Child Development Project Officer thereafter, under communication dated 24.09.2020, has written to the District Programme Officer that before

the process of fresh selection culminates in appointment of an Anganwari Sevika, it is desirable that the petitioner be given an opportunity of hearing

and steps be taken, in accordance with law, for cancellation of her selection. The communication dated 24.09.2020 is Annexure D to the counter

affidavit.

4. The petitioner's counsel raises an apprehension that since process of selection has taken place afresh, the authorities may proceed to offer the

responsibility of Sevika for the Centre in question to the person who has emerged successful in the new selection process.

5. Such apprehension appears to be unfounded. The communication of the Child Development Project Officer dated 24.09.2020 is clear that the

authorities are of the opinion that steps are required to be taken for cancellation of the petitioner's selection after giving her a due opportunity of

hearing. In view of such decision of the respondent-authorities, the apprehension of the petitioner that prior to such exercise, a person would be placed

as a Sevika in her place is totally unfounded.

6. The learned State Counsel also submits that till date, Sevika has not been appointed at the Centre in question and the Centre has been attached to

another Anganbari Kendra Office locality for dissemination of the social welfare measures.

7. In the circumstances, the writ application is disposed of.

8. This Court would only observe that the process for cancellation of the petitioner's selection, pursuant to the communication dated 24.09.2020,

should be expedited and the same is required to be conducted, in accordance with law, after giving due opportunity to the petitioner and all other

concerned.