

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19333 of 2014

With

Interlocutory AppOlication No. 8324 of 2014

Mumtaj Begum Wife of Aftab Alam, Resident of Village and Post - Arajpur via
Navgachhiya Police Station - Chausa, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna
3. The Director, Integrated Child Development Scheme, Social Welfare Department, Government of Bihar, Patna
4. The Deputy Director, Welfare, Kosi Division, Saharsa
5. The Divisional Commissioner, Kosi Division, Saharsa
6. The District Magistrate, Madhepura
7. The District Programme Officer, Madhepura
8. The Child Development Project Officer, Chausa, Mahepura

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Respondent/s : Mrs. Neelam Prasad, AC to G.P.-25

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL JUDGMENT

Date: 21-01-2015

Heard the parties.

The petitioner is aggrieved by the order dated 19.09.2014 (Annexure-4) passed by the respondent C.D.P.O.,Chausa, Madhepura, whereby he/ she has refused to issue appointment letter/ selection letter to the petitioner for the post of Anganwari Sevika for Anganwari centre Arajpur East, ward no. 10 situate within Chausa Block, in the district of Madhepura.

Under the guidelines issued by the State Government on 17.05.2013, if some one is aggrieved on account of irregular/illegal selection or non-selection on the post of Anganbari Sewika/ Sahayika, then such person is required to file a complaint petition before the District Programme Officer of the concerned district, who' in turn, is obliged to examine the entire matter and is required to pass a reasoned

order within a period of 30 days.

Evidently, the petitioner has got an efficacious and alternative remedy before the District Programme Officer, Madhepura, which she has not exhausted. In that view of the matter she is directed to file a complaint petition before the District Programme Officer, Madhepura, raising all the grievances, which have been raised in the present writ petition.

If such a complaint petition is filed on behalf of the petitioner within a period of four weeks from today with a certified copy of the present order, then the respondent District Programme Officer, Madhepura shall be obliged to consider and decide the claim of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the petitioner, at an early date preferably within a period of one month from the date of filing of such representation/ complaint petition.

The writ petition stands finally disposed of with the observations and directions made above. I.A. No. 8324 of 2014 also stands disposed of.

(Birendra Prasad Verma, J)

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