

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22871 of 2013

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1. Rekha Kumari @ Rekha Devi Daughter Of Nand Kishore Yadav, Wife Of Sri Naresh Yadav Resident Of Village - Bela Tikar, P.S. - Banka, District - Banka

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Bhagalpur Division, Bhagalpur
3. The District Magistrate Cum Collector, Banka
4. The Deputy Development Commissioner, Banka
5. The District Programme Officer, Banka
6. The Child Development Project Officer, Banka
7. The Mukhiya, Lodham Gram Panchayat Banka Block, District - Banka
8. The Panchayat Secretary, Lodham Gram Panchayat Banka Block, District - Banka
9. Soni Kumari Wife Of Awadhesh Kumar Yadav, Daughter Of Wakil Yadav Resident Of Village - Bela Tikar, P.S. - Banka, District - Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh, Advocate
For the State : Mr. Sanjay Pandey, G.P.21,
Mr. Nishant Kumar Jha, AC to GP.21.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 08-04-2016

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

In the present writ petition, petitioner is seeking relief for his appointment and in alternative she has also sought a relief that there should be a fresh advertisement for selection of Anganwari Sevika.

The present matter is related to the appointment of Anganwari Sevika of Village Bela Tikar Centre No.77 Lodham



Gram Panchayat, Banka. An advertisement was published for the appointment of Anganwari Sevika in which one Nirmala Devi was appointed but it was found that the certificate which was produced by her was forged and fabricated. When she resigned one Soni Kumari who was neither the applicant nor she was called for interview was illegally appointed.

When it was brought to the notice of the Deputy Development Commissioner, Banka conducted the enquiry and found that appointment of Soni Kumari is illegal and that has been affirmed by the order of the Collector dated 9.8.2012 in Case No. 129 of 2011-2012.

Being aggrieved by the order of the Collector, Soni Kumari filed an appeal before the Commissioner, Bhagalpur which was registered as Banka Misc. (Anganbari) Appeal Case No.136 of 2012-2013 and he approved the order of the Collector but he has modified the order with regard to the relief that Deputy Development Commissioner will go for a fresh selection after proper publicity as per the guideline.

In this view of the matter, this Court is of the view that there should a fresh selection after due publication where every person including Soni Kumari will have liberty to participate in

the proceeding. All process must be completed within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

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