

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.776 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 19804 of 2012

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Rubi Wazeda Praveen, wife of Mohammad Abdul Wahid, resident of village-
Amdabad Paschim Tola, Post- Amdabad, Police Station- Amdabad, District-
Katihar

.... Appellant/s

Versus

1. The State of Bihar
2. The Secretary, Social Welfare Department, Patna (Bihar)
3. The Commissioner, Purnia Division, Purnia
4. The District Collector, Katihar
5. The District Programme Officer, Katihar
6. The Child Development Programme Officer, Katihar
7. The Mukhiya, Md. Rafique Alam, Gram Panchayat Uttari Amdabad, District-
Katihar
8. The Panchayat Secretary, Sri Jamuluddin, Gram Panchayat Uttari Amdabad,
District- Katihar

.... Respondent/s

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Appearance :

For the Appellant : Mr. Rabi Bhushan Prasad No. 1, Advocate
For the State : Mr. R. B. Pd. Yadav, AAG 11 with
Mr. A. K. Dubey, AC to AAG 11

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 04-10-2016

The challenge in the present Letters Patent Appeal is to
an order passed by the learned Single Bench on 10th January, 2014
whereby the order passed by the Divisional Commissioner on 4th July,
2012 affirming the order passed by the District Magistrate on 24th
January, 2012 was not interfered with.

The District Magistrate has passed an order that there are
irregularities in appointment of *Anganbadi Sevika* in Centre No. 131.
Therefore, the selection process was set aside and a direction was
issued for fresh selection to the post of *Anganbadi Sevika*. Such order

was affirmed by the Commissioner on 4th July, 2012. The Commissioner has found that though the selection of *Anganbadi Sevika* was said to have been done on 14th July, 2009 in *Aam Sabha* but recommendations were sent in September, 2010. The delay in sending the recommendation creates doubt in the proceeding. Since the fresh selection process has been ordered to be conducted to the post of *Anganbadi Sevika*, we do not find any ground to interfere in the intra-court appeal.

All the candidates, who participated in the earlier selection process, shall be permitted to participate in the fresh selection consequent to the order passed by the Commissioner along with the other eligible candidates and the selection process be completed thereafter in accordance with law.

The Letters Patent Appeal stands dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Anjani/P.Kumar

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