

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14625 of 2013

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Rekha Kumari, wife of Shrivastav Ram, resident of village-Dumari, P.S.
Govindpur, District - Nawada

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary Bihar, Patna.
2. The Secretary, Social Welfare Department Government of Bihar, Patna.
3. The Director Social Welfare Department, Government Of Bihar, Patna.
4. The District Magistrate, Nawada.
5. The District Welfare Officer, Nawada
6. The Child Development Project Officer Roh, District Nawada
7. Mukhiya Gram Panchayat Raj Dumari, Block Roh, District - Nawada
8. Panchayat Secretary-cum-Panchayat Sevak Gram Panchayat Raj Dumari,
Nawada.
9. Mamta Kumari, wife of Rajendra Choudhary, resident of Village - Dumari, P.S.
Govindpur, District - Nawada

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Respondent/s : Mr. Ram Vinay Prasad Singh, A.C. to G.P.-XII

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 10-11-2016

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

The petitioner is challenging the appointment of
private respondent No.-9 as Anganbari Sevika in Ward No.4.

The petitioner is claiming her appointment on the said
post on the ground that private respondent No.9 has wrongly been
appointed.

Learned counsel for the petitioner submits that petitioner has filed a representation before the Collector, Nawada, but the same is still pending for consideration.

It appears that the petitioner instead of exhausting the alternative remedy under the scheme has directly approached this Court by filing this writ application.

In such view of the matter, let the petitioner exhaust the alternative remedy under the scheme by filing appropriate application before the appropriate authority, who will consider the case of the petitioner and pass a reasoned order in accordance with law within a period of three months from the date of filing of such application. If the order is passed against the petitioner, it will be open to her to challenge the same in accordance with law. The appellate authority while deciding the case of the petitioner will take into consideration the pendency of this writ application before this Court.

With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	16.11.2016
Transmission Date	