**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Civil Writ Jurisdiction Case No.23990 of 2013**

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1. Neha Kumari Wife Of Pintu Mandal Resident Of Village- Gorgama, Police Station- Shahkund, District- Begusarai

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. The Director I.C.D.S. Bihar, Patna
3. The Divisional Commissioner, Bhagalpur
4. The District Magistrate, Bhagalpur
5. The District Programme Officer, Bhagalpur
6. The District Welfare Officer, Bhagalpur
7. The B.D.O., Shahkund Block, Bhagalpur
8. The C.D.P.O., Shahkund Block, Bhagalpur
9. Pinki Devi Wife Of Mantu Mandal Ward No. 8, Resident Of Village- Gorgama, Police Station- Shahkund, District- Bhagalpur

.... .... Respondent/s

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**Appearance :**
For the Petitioner/s : Mr. Md. Najmul Hodda
For the Respondent No.9: Mr. Ranjan Kumar Jha
For the State : Mr. Kaushal Kumar Jha, AAG 9

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**
ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioner and learned counsel for the State as well as Respondent no.9.

In the present case, petitioner is challenging the appointment of respondent no.9 as Anganwari Sevika for Centre No. 163 of Gram Panchayat, Kashba Kherhi, Block Shahkund, District Bhagalpur.

Petitioner and respondent no9 have applied for the post of Anganwari Sevika but instead of appointing the petitioner, respondent no.9 has been appointed. The ground of rejection

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has been found that mother-in-law of the petitioner is a teacher and in the scheme such person cannot be appointed.

There is provision for appeal and petitioner has not filed any appeal. The petitioner should first exhaust the remedy. The petitioner, if so advised, may file an appeal before the appellate authority within a period of four weeks from today. If such an appeal is filed the appellate authority will dispose of the same within a period of five months from the date of filing of the appeal. If the order has been passed against the petitioner, he will be at liberty to challenge the same before appropriate forum. The order will be passed after giving notice to respondent no.9.

With the aforesaid observation and direction this writ petition is disposed of.

**(Shivaji Pandey, J)**

Vinay/-

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