

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5330 of 2015

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Munni Kumari W/O Murari Kumar, resident of village- Tulsiya, P.S. - Bihariganj, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. The Commissioner Saharsa Division, Saharsa.
3. The Collector District Madhepura.
4. The District Welfare Officer cum Programme Officer District Madhepura.
5. The Chief Development Project Officer, Block-Bihariganj, District Madhepura.
6. The Ward member ward no.-2 village- Tulsiya, P.S.- Bihariganj, District- Madhepura.
7. The Panchayat Secretary Tulsiya, P.S.- Bihariganj, District- Madhepura.
8. Rume Kumari w/o Sinku Kumar village- Tulsiya, P.S.- Bihariganj, District- Madhepura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav
For the Respondent/s : Mr. Sajid Salim Khan, SC 25

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-02-2017 Heard Sri Binod Kumar Yadav, learned counsel for the petitioner and Mr. Sajid Salim Khan, learned Standing Counsel – 25.

The petitioner, invoking writ jurisdiction under Article 226 of Constitution of India, has made a prayer for directing the respondents to appoint her, as Anganbari Sevika, for Anganbari Centre of ward no. 1 of Tulsiya Gram Panchayat, on the ground that though petitioner was having higher merit marks than respondent no. 8, the respondent no. 8 was selected.



Alternatively, a prayer has been made for directing the District Welfare Officer-cum-District Programme Officer/respondent no. 4 to finally decide the complaint dated 27-12-2014, which was filed by the petitioner after being aggrieved with the selection of respondent no. 8.

Learned counsel for the petitioner submits that as per Guideline of 2011 regarding appointment of Anganbari Sevika and Sahaiyka after filing of the complaint, the District Programme Officer is required to decide the complaint within a period of 30 days, however; till date, no decision has been taken.

In view of facts and circumstances, particularly the fact that the petitioner, as stated, has filed complaint in the year 2014 itself and as stated, till date, same has not been disposed of, instead of going into the merit of the case, the Court proposes to dispose of the present writ petition, even in absence of any counter affidavit, directing the Respondent No. 4 to take final decision on the complaint of the petitioner, which is said to have filed on 27-12-2014, if it is still pending. The decision must be taken within a period of three months from the date of receipt/production of a copy of this order.

It goes without saying that if subsequently, any adverse order is passed, the petitioner would be at liberty to avail



remedy of appeal.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

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