

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1153 of 2016

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Sati Devi, wife of Umesh Yadav, resident of Village- Nadauri Baban Bigha, Ward No-9, Code No. 172, PS- Gurua, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Social Welfare Department, Bihar, Patna
2. The Commissioner, Magadh Division, Gaya
3. The Block Development Officer, Gurua Block, Gaya.
4. The Block Development Officer, Gurua Block, Gaya. null null
5. The Child Development Program Officer, Gurua Block, Gaya.
6. The Panchayat Sewak, Nadaura Gram Panchayat, Gurua, Gaya.
7. The Mukhiya Nadaura Gram Panchayat, Gurua, Gaya.
8. Smt. Lilawati Kumari, wife of Sri Berendra Ravidas, resident of Village- Nadauri Baban Bigha, Ward No-9, Code No. 172, PS- Gurua, District- Gaya.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sheel Bhadra Jha, Adv.
Mr. Ashok Kumar, Adv.

For the Respondent/s : Mr. Vijay Kumar Verma, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 22-06-2017

Heard Mr. Sheel Bhadra Jha, learned counsel appearing for the petitioner and Mr. Vijay Kumar Verma, learned AC to GA-2, for the State.

The petitioner is aggrieved by the appointment of the private respondent to the post of Anganwari Sevika, Anganwari Center, Ward No. 9, Code No. 172, in village Nadauri Baban Bigha, in the district of Gaya.

Although the petitioner has approached the Sub-divisional Officer, Sherghati, Gaya complaining of the irregularities which has



been committed in the appointment of Anganwari Sevika and which complaint has also been acted upon by the Sub-divisional Officer, Sherghati, Gaya, who has directed the Child Development Project Officer, Gurua to submit his comments on the complaint so made by the petitioner vide his letter bearing Memo No. 588 dated 2.7.2014 at Annexure 6 but the action undertaken by the petitioner has been rightly objected to by the respondents in their counter affidavit to submit that it is before the wrong Forum. It is argued by the learned State Counsel in reference to the stipulations present in the guidelines governing the Anganwari Paryavekshika/ Sevika/ Sahaika in force in the year 2012 that a complaint in regard to appointment to the post of Anganwari Sevika is to be made before the District Programme Officer under Clause 10.5 of the Guidelines but the petitioner has approached a wrong Forum.

Having heard learned counsel for the parties and upholding the objection raised by the respondents, the writ petition is disposed of with the liberty to the petitioner to approach the correct Forum for raising her grievance regarding irregularities committed in the appointment of the private respondent in terms of the guidelines and it goes without saying that any such complaint filed by the petitioner before the District Programme Officer would be considered and disposed of in accordance with law with due opportunity of hearing to



the petitioner as well as the private respondent expeditiously and preferably within three months of filing of the complaint.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.06.2017
Transmission Date	NA

