

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9963 of 2014

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1. Sanjida Begam wife of Faij Ahmed resident of Village - Majkuri, P.O. - Singhari, P.S. - Kocha Dhaman, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar through Director ICDS, Bihar, Patna.
2. The District Magistrate, Kishanganj.
3. The District Programme Officer, Kishanganj.
4. The Child Development Project Officer, Kocha Dhaman Block, Kishanganj.
5. Najmi Parveen wife of Kamruzzama resident of village - Punas, P.O. - Sontha, P.S. - Kocha Dhaman, District - Kishanganj, present address - resident of village - Majkuri, P.O. - Singhari, P.S. - Kocha Dhaman, District - Kishanganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abdul Wadood, advocate
For the State : Mr. Deepak Kumar, AC to SC 5
For the pvt. Respondent : Mr. Dhaneshwar Pd. Gupta, advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 20-11-2017

Heard both sides.

The petitioner has filed this writ petition for quashing the order dated 26.12.2013 passed by the District Magistrate, Kishanganj in Appeal No. 03 of 2013 by which respondent No.5 was directed to be appointed on the post of Anganwari Sevika in place of the petitioner on the ground that respondent No.5 ranked first in the merit list but she was not appointed.

The learned counsel for the petitioner submits that according to directives of 2011 for appointment on the post of Anganwari Sevika and Sahaika the Collector is not the competent authority to pass order with regard to irregularities committed in the selection of Anganwari Sevika but I do not find any force in the submission of the learned counsel for the petitioner as



respondent No.5 earlier filed CWJC No. 3371 of 2013 and this court vide order dated 22.02.2013 directed the Collector to look into the grievance of petitioner, Najani Parvin, respondent No. 5 herein, and dispose of the same after hearing the petitioner, Najani Parvin, and respondent No.5, Sanjeeda Begam, petitioner herein. The Collector, Kishanganj after hearing both sides found that according to Clause 4.7 of the 2011 directives for appointment on the post of Anganwari Sevika daughter of a village can be appointed on the post of Anganwari Sevika if she resides permanently in the nutritional area in the house of her parents. The Collector found that Najani Parvin, respondent No.5, ranks first in the merit list but on flimsy ground her candidature was rejected and in her place the petitioner was appointed on the post of Anganwari Sevika. Accordingly, the Collector directed the District Programme Officer to take steps for appointment of respondent No.5.

Having considered the facts aforesaid, I do not find any merit in this writ petition and the same is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

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