

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4883 of 2016

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Premmanai Kumari W/o Hirshikesh Sharma, Resident of village- Bajalpur,
P.O. & P.S.- Uphara, District- Aurangabad, Bihar

.... Petitioner

Versus

1. The State of Bihar
2. Principal Secretary, Social & Welfare Department, Govt. of Bihar, Patna
3. The Director, I.C.D.S., Bihar, Patna
4. The District Magistrate, Aurangabad
5. The Secretary, Sanskrit Shiksha Board, Bihar, Patna
6. The District Programme Officer, Aurangabad
7. The Child Development Program Officer, Goh, Aurangabad
8. Homi Kumari, wife of Abinash Kumar, Resident of village- Bajalpur,
P.S.- Uphara, District- Aurangabad

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.
For the Respondent/s : Mr. Prashant Pratap, GP6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-03-2018 Heard learned counsel for the parties.

The petitioner is aggrieved by the selection of respondent no.8 to the post of Anganwari Sevika, Centre Bajalpur No.1, P.S. Uphara, in the District of Aurangabad.

According to Mr. Praveen Kumar, learned counsel for the petitioner, although the petitioner figured at serial no.1 of the merit list, yet it is the person at serial no.2 who has been selected.

A counter affidavit is filed on behalf of the respondents and although Mr. Praveen Kumar, learned counsel for the petitioner, admits to the failure of the petitioner to avail of alternative remedy available under the guidelines regulating



appointment of Anganwari Sevika, but taking note of the stand taken by the respondents in paragraphs 10 and 11 of the counter affidavit which explains the reasons for non-appointment of the petitioner and which statements have gone uncontested because although the counter affidavit was served on the learned counsel for the petitioner on 28.9.2016, a period of 1½ years having passed there is no rejoinder to the contest.

The reasons so assigned by the respondents for non-selection of the petitioner, I am not persuaded to grant indulgence to the prayer made herein or the prayer made by Mr. Praveen Kumar for permitting the petitioner to avail of the alternative remedy.

The writ petition is dismissed.

(Jyoti Saran, J)

Surendra/-

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