

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14591 of 2015

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Guriya Kumari, W/o Sri Azad Paswan Resident of village - Balwapar, P.S.
Hilsa, District – Nalanda.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Director, I.C.D.S., Government of Bihar, Patna
3. The District Magistrate, Nalanda
4. The Dy. Director Welfare, Patna Division, Patna
5. The C.D.P.O. Hilsa, Nalanda
6. The Selection Committee, Anganbari Sevika Selection of Mirzapur Gram Panchayat (Balwapar) through its Member Secretary i.e. the C.D.P.O. Hilsa, Nalanda
7. Manita Kumari W/o Sri Ram Pravesh Kumar Resident of village - Balwapar, P.S. Hilsa, District – Nalanda

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Mayanand Jha, Advocate Mr. Dharmendra Kumar, Advocate
For the Respondent/s	:	Mr. U.P. Singh, A.C. to S.C.-4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date : 19-11-2018

Heard learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner is challenging the appointment of
Manita Kumari, respondent no.7, having claimed that her



appointment is completely illegal and requires to be set aside. It has further been submitted that on appointment of Manita Kumari, she raised objection before the Child Development Project Officer, Hilsa, Naland, who vide order containing memo no. 392 dated 10.07.014 rejected the objection of the petitioner and against that order the petitioner approached the Collector.

3. With regard to any action, inaction or illegal action in the matter of appointment of Anganbari Sevika the aggrieved person is required to approach the District Programme Officer and against that the power of appeal has been conferred upon Collector of the district. As per the guidelines, in connection with the appointment of Anganbari Sevika, the C.D.P.O. does not have a jurisdiction to look into the matter and decide any dispute concerning the appointment of Anganbari Sevika. It is only the District Programme Officer has been attributed the jurisdiction to decide the same.

4. Let the Collector, Nalanda, examine this issue, as the matter is pending before him. While deciding the issue, he will examine as to whether the Child Development Project Officer has an authority to take a decision or pass any order with respect to engagement/appointment of Anganbari Sevika. All the



exercise should be completed by the Collector within a period of four months from the date of receipt/production of a copy of this order.

5. With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	26.11.2018
Transmission Date	N/A.

