

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.321 of 2018

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Malti Devi, Wife of Shambhu Prasad, resident of Village- Pipradih, Ward No. 8, Gram Panchayat- Vir Chapra, P.O. + P.S.- Pipra Kothi, Block- Pipra Kothi, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director, I.C.D.S. Social Welfare Department, Government of Bihar, Patna.
4. The Commissioner, Tirhut Division, Muzaffarpur, District- Muzaffarpur.
5. The District Magistrate, East Champaran, District- Motihari.
6. The District Programme Officer, East Champaran, District- Motihari.
7. The Child Development Officer, Pipra Kothi, East Champaran, District- Motihari.
8. The Mahila Supervisor, Child Development Project, Pipra Kothi, East Champaran, District- Motihari.
9. Pramila Kumari W/o Mantu Mahto resident of Village- Pipradih, Ward No. 8, Gram Panchayat- Vir Chapra, P.O. + P.S.- Pipra Kothi, Block- Pipra Kothi, District- East Champaran, Motihari.
10. Sobha Kumari W/o Ravi Raj Mahto, resident of Village- Dilman Chhapra. Post- Bhagwatia, P.S.- Kesharia, District- East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Adv.
For the Respondent/s	:	Mr. Gopal Krishna, AC to GA7
For the Pvt. Resp.	:	Mr. Shashibhushan, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 26-06-2018

Heard learned counsel for the petitioner, counsel for the State as also counsel for the private respondent.

In this case, the petitioner is challenging the appointment of respondent no.9 on the post of Anganwari Sevika taking a plea that her husband is a government servant and, as such, she cannot be appointed.



Learned counsel for the petitioner submits that the persons below the merit list have been appointed on the post of Anganwari Sevika.

Learned counsel for the private respondent no.9 has pointed out that the Guideline of the year 2016 deals with the appointment and service condition of Anganwari Sevika providing a forum to challenge the wrong appointment or any action taken against the interest of a person before the District Programme Officer and, against that, there is also a provision for appeal before the District Magistrate.

In view of the above, if the petitioner feels aggrieved, she is at liberty to move before the District Programme Officer, East Champaran, Motihari and raise her grievance and it is expected that the District Programme Officer, East Champaran will call for the record, will consider the case of the petitioner and, after hearing the respondent no.9, will pass orders in accordance with law.

If the petitioner files a representation along with a copy of this order before the District Programme Officer, East Champaran, Motihari, he will decide the issue expeditiously preferably within a period of five months from the date of filing of the representation.



With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.06.2018
Transmission Date	NA

