

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1886 of 2019**

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Rinku Kumari @ Rinku Devi @ Rinku Kumari Sinha, W/o Randhir Kumar  
Rahi, resident of Vill.-Kakaria, P.S.-Noorsarai, Distt.-Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Welfare and Social Development, Govt. of Bihar, Patna
2. The Director Integrated Child Development Services Directorate (I.C.D.S.D.) Indira Bhawan, Patna
3. The Commissioner, Patna Division, Patna
4. District Magistrate-cum-Collector, Nalanda
5. District Programme Officer, Nalanda
6. Sub Divisional Officer, Biharsharif, Nalanda
7. Child Development Project Officer (C.D.P.O.) Noorsarai, Distt.-Nalanda
8. Block Development Officer, Noorsarai, Nalanda
9. Manita Kumari W/o Bablu Kumar, resident of Vill.-Kakaria, P.s.-Noorsarai, Distt.- Nalanda

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad  
For the Respondent/s : Mr.Prashant Pratap (GP-2)

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL JUDGMENT**

**Date : 05-02-2019**

The learned counsel for the petitioner is permitted  
to make correction in the name of private respondent No. 9.

2. A counter affidavit has been filed during the  
course of argument.

3. Let it be taken on the record.

4. The petitioner is aggrieved by the fact that  
despite her having obtained higher marks than the private  
respondent No. 9, she has been chosen to be appointed as



*Anganbari Sevika* at the concerned centre in the District of Nalanda.

5. It has further been alleged by the petitioner that there has been bungling in the formulation of the merit list and policy of pick and choose has been adopted.

6. It appears from the averments made in the writ petition that the representation in that regard has been filed before the Block Development Officer, Noorsarai (respondent No. 8) which has not yet been decided.

7. Under the aforesaid circumstances, the petitioner is directed to make a representation before the District Programme Officer, Nalanda (respondent No. 5) within a period of three weeks from today enclosing the copy of the order passed in this writ petition and detailing the grievances. On receipt of such representation, the District Programme Officer shall dispose off the same by the reasoned order within a period of six weeks thereafter.

8. In case the claim of the petitioner is found to be tenable and the appointment of respondent No. 9 is not found in consonance with the rules, before passing any



order, the District Programme Officer shall also afford hearing to respondent No. 9 and pass orders in accordance with law.

9. With the aforesaid observation, the writ petition is disposed off.

**(Ashutosh Kumar, J)**

Shageer/-

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| AFR/NAFR          | NAFR       |
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