

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1534 of 2019

Pinki Devi W/o Munna Das Vill. and P.o.-Gawpur, Ward No. 7, within gram panchyat raj, Gawpur, Block and P.s.-Ujiyarpur, Distt.-Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar through District Magistrate, Samastipur
2. District Magistrate Samastipur
3. Director Integrated Child Development Services (ICDS), Pant Bhawan, Bihar
4. The District Program Officer Samastipur, Child Development Project, Samstipur Collectorate, Distt.-Samastipur
5. Child Development Program Officer (CDPO) Block-Ujiyarpur, Distt.-Samastipur
6. The Selection Committee constituted for selection of Anganwari Sewika through its Chairman of Selection Committee, i.e. Ward Member, Ward No. 7, Chausad Gawpur, Gram Panchyati Raj, Gawpur, P.o.-Gawpur, P.s.-Ujiyarpur, Distt.-Samastipur
7. Ward Member Ward No. 7, Gram Panchayat Raj Gawpur, cum Chairman, the Selection Committee, namely Rajendra Das, Son of Shivjilal Das, Resident of Village and Post Office- Gawpur, Block and Ps.-Ujiyarpur, Distt.-Samastipur
8. Punch Ward No. 7, Gram Panchayat Raj Gawpur, cum Chairman, the Selection Committee, namely Jageshwar Paswan, Village and Post Office- Gawpur, Block and Ps.-Ujiyarpur, Distt.-Samastipur
9. Usha Kumari Ladies Supervisor, working as Secretary of the Selection Committee constituted for selection of Anganwari Sewika, Ward No. 7, Gram Panchayat Raj Gawpur, Block and Ps.-Ujiyarpur, Distt.-Samastipur
10. Gita Kumari W/o Prem Kumar Das Resident of Village and Post Office- Gawpur Selected as Anganwari Sewika for Anganwari Centre no. 305, within Ward No. 7, Gram Panchayati Raj, Gawpur, P.o.-Gawpur, Ps.-Ujiyarpur, Distt.-Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Choudhary Shyam Nandan
For the Respondent/s : Mr.S.K.Mandal (Sc3)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-01-2019 The petitioner seeks a writ for quashing the selection process of Anganwari Sewika of Anganwari Centre No. 305 in the district of Samastipur as wrongly and unjustifiably, the private-respondent no. 10 / Gita Kumari



has been appointed on the aforesaid post in violation and in breach of Circular issued in the year 2016 for the appointment of such Anganwari Sewikas.

The major contention of the petitioner is that pursuant to an advertisement of the year 2017, the petitioner and others had applied for being appointed as Anganwari Sewikas. A decision was taken to hold Aam Sabha for the purposes of finalizing the list of successful candidates to be engaged as Anganwari Sewikas. Though, a tentative merit list was prepared but the proceedings of the Aam Sabha was stayed. Despite that, in an illegal manner, the private-respondent no. 10 has been selected as an Anganwari Sewika. The fact of suspension of the proceedings of Aam Sabha has also been ratified by one of the functionaries of the Panchayat.

Under the circumstances, this Court is of the view that the petitioner ought to make a representation before the District Programme Officer, Samastipur (Respondent No. 4) with all the aforesaid grounds within a period of four weeks from today. On receipt of such an application, the District



Programme Officer, Samastipur shall pass a reasoned order within a period of four weeks thereafter. In case it is found that the engagement / appointment of private-respondent no. 10 is not justifiable, then notice shall be issued to private-respondent no. 10 and only after hearing her, any order shall be passed.

With the aforesaid observation / direction, this writ petition is disposed off.

(Ashutosh Kumar, J)

skm/-

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