

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1327 of 2019

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Anarkali Kumari, W/O Pradeep Kumar Sada, resident of Village- Ahirain
Uttarbari Tola, Ward No. 10, P.S. Ghanshyampur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, Integrated Child Development Scheme, Govt. of Bihar, Patna.
3. The District Magistrate, Darbhanga.
4. The District Programme Officer, Darbhanga.
5. The Child Development Project Officer, Ghanshyampur, Darbhanga.
6. The Ward Panch, Gram Panchayat Raj Balpur Ward No. 10, Ghanshyampur, Darbhanga.
7. Renu Kumari, W/O Manoj Mukhiya Resident of Village- Ahirayin Dakshinbari Tola, Ward No. 10, P.S.- Ghanshyampur, Distt.- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Narendra Kumar Singh, Advocate.
For the Respondents : Mr. Prashant Pratap (Gp2)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 24-01-2019

Heard learned counsel for the petitioner and the State.

2. The petitioner is aggrieved by the appointment of a private respondent viz. Renu Kumari on the post of Aanganwari Sewika at Aanganwari Centre No. 141 primarily on the ground that her appointment is *de hors* the guidelines with respect to the appointment procedure for such Aanganwari Sewikas.

3. Learned counsel for the petitioner has submitted that in fact the petitioner belongs to a Mahadalit community and had furnished her application for being selected as an Aanganwari Sewika. Deliberately, it has



been argued, the application of the petitioner was caused to be disappeared for the purpose of helping the private respondent who did not hail from the beneficiary group. The private respondent no. 7 was selected by a Committee constituting such person who ought not to have been part of that Committee.

4. The other ground of challenge is that the mother-in-law of the private respondent is also a functionary of Panchayat administration thereby disentitling her from being appointed as Aanganwari Sewika.

5. In the aforesaid circumstances, learned counsel for the petitioner is directed to file a representation before the District Programme Officer, Darbhanga (respondent no. 4) raising all the grounds taken in the present petition along with a copy of this order within a period of four weeks from today. The District Programme Officer, Darbhanga shall dispose of such representation within a period of six weeks from the date of submission of such representation.

6. In case the grounds urged on behalf of the petitioner finds favour with the District Programme Officer, Darbhanga, necessary sequel order shall be passed. Any order which would be against the interest of respondent no. 7 is intended to be passed, it would be obligatory for



the respondent no. 4 to give a hearing to respondent no. 7 before passing any order.

7. With the aforesaid observation the writ petition is disposed off.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.01.2019
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