

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2362 of 2019

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Suruchi Kumari W/o Lalan Kumar R/o Vill.-Govindpur Beldari, Ward No.4
P.S. Noorsarai, Dist.-Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through 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
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.) Parwalpur, Dist.-Nalanda
8. Block Development Officer, Noorsarai, Nalanda
9. Pinki Kumari W/o Chandan Kumar R/o Village-Govindpur Beldari, P.S. Noorsarai, Dist.-Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate.
For the Respondent/s : Mr. Md. Raisul Haque (Sc10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 18-02-2019

Heard the learned counsel for the petitioner and the State.

The petitioner is aggrieved by the order passed by the District Programme Officer, Nalanda whereby the claim of the petitioner for being appointed as Aanganwari Sewika at Ward No. 4 has been rejected and in her place, private respondent no. 9 has been directed to be appointed.

It is the case of the petitioner that she had obtained higher marks than respondent no. 9 and was consequently placed higher in the merit list than private respondent no. 9. Her claim was bypassed only on the



ground that her husband's and father-in-law's name did not figure in the voter list thereby making it difficult for the District Programme Officer, Nalanda to hold that the petitioner came from the same ward where the Aanganwari centre was located.

Learned counsel for the petitioner has submitted that the order passed by the District Programme Officer, Nalanda, though refers to the guidelines of the name of the father-in-law and the husband to be in the voter list but no further enquiry was made as to under what circumstances the name of the mother-in-law found mention in the voter list. This coupled with other facts which the petitioner has urged in the present petition need be examined by the District Magistrate-cum-Collector, Nalanda as he is the appellate authority against any order passed by the District Programme Officer, Nalanda.

It appears that the petitioner has bypassed the appellate authority and has approached this Court straightaway against the order of the District Programme Officer, Nalanda.

Under the aforesaid circumstances, this Court directs the petitioner to prefer an appeal before the District Magistrate-cum-Collector, Nalanda within a period of four weeks from today, who on receipt of such appeals/memorial/representation would hear the parties, especially the petitioner and the private respondent no. 9 and shall pass a reasoned order in accordance with law within a period of six weeks thereafter.



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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.02.2019
Transmission Date	

