

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3597 of 2019

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Rina Kumari wife of Rajesh Mandal resident of Village and P.O.- Bhura, P.S. Triveniganj, District Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
3. The Director, I.C.D.S., Government of Bihar, Patna.
4. The District Magistrate, Supaul
5. The District Programme Officer (I.C.D.S.) Supaul.
6. The Block Development Officer, Triveniganj, District- Supaul.
7. The Child Development Project Officer (C.D.P.O.), Triveniganj, District- Supaul.
8. The Lady Supervisor-cum- Member Secretary, Selection Committee (Aganbari), Triveniganj, District- Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. Gyan Prakash Ojha (GA7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 26-02-2019

Heard the learned counsel for the petitioner and the State.

The petitioner is aggrieved by the orders dated 26.11.2018 and 07.12.2018, passed by the District Programme Officer (I.C.D.S.), Supaul and the C.D.P.O., Triveniganj, Supaul, respectively, whereby the appointment of the petitioner on the post of Anganwari Sewika has been



cancelled and one Usha Raman is being considered to be appointed on the said post in place of the petitioner.

It appears from the records that the petitioner was appointed as Anganwari Sewika at Anganwari Centre No. 21.

Aggrieved by the aforesaid appointment, another applicant, namely, Usha Raman approached this Court vide C.W.J.C. No. 16430 of 2016 which was disposed off on 26.06.2018 with a direction to the authorities to consider the case of the petitioner afresh after looking into her grievance. Pursuant to the aforesaid order, referred to above, passed in C.W.J.C. No. 16430 of 2016, the case of the aforesaid Usha Raman (incidentally she has not been made a party in the present writ petition) was considered and the appointment of the petitioner was cancelled.

Mr. Pramod Mishra, learned advocate for the petitioner has submitted that even on the direction of this Court passed in C.W.J.C. No. 16430 of 2016, before removing the petitioner, she ought to have been heard or at least noticed. That not having been done, the orders, referred to above, and which have been impugned in the present



petition, suffer from lack of application of mind and against the principles of natural justice.

However, the petitioner would have and has the opportunity of challenging the said orders before the District Magistrate, Supaul, who is the second appellate authority in the matters of appointment of Anganwari Sewika / Sahayika.

Under the aforesaid facts and circumstances, the petitioner is directed to challenge the aforesaid impugned orders before the District Magistrate, Supaul within a period of three weeks from today, which appeal / complaint shall be disposed off by the Collector, Supaul by a reasoned order within a period of six weeks thereafter, after hearing all the stake-holders including Usha Raman.

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

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	28.02.2019
Transmission Date	

