

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4816 of 2019

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Sangita Kumari, wife of Sunil Kumar Suman, resident of village- Nayagaon,
P.O.- Nayagaon, P.S.- Desari, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate-cum-Collector, Vaishali.
3. District Programme Officer, District- Vaishali.
4. Child Development Project Officer, Block- Sahdei Bujurg, District- Vaishali.
5. Mukhiya, Gram Panchayat Raj Nayagaon East, Block Sahdei Bujurg, P.S.-
Desari, District- Vaishali.
6. Panchayat Secretary, Gram Panchayat Raj Nayagaon East, Block Sahdei
Bujurg, P.S.- Desari, District- Vaishali.
7. Shivani Kumari, wife of Chandan Kumar Paswan, resident of village-
Nayagaon, Ward No. 01, P.S.- Desari, Block- Sahdei Bujurg, P.O.-
Nayagaon, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Respondent/s : Mr. Prashant Pratap (GP-2)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 28-03-2019

Heard the learned counsel for the petitioner and

the State.

2. The petitioner being an aspirant for being

appointed as Aanganwari Sahayika at Centre No. 143 is

aggrieved by the fact that despite her being adjudged as

the most suitable candidate and having been placed at

Serial No. 1 in the merit list, she has not been offered the



letter of appointment and has consequently not been sent for training. According to the information of the petitioner, the Child Development Project Officer, Block - Sahdei Bujurg, District - Vaishali (respondent no. 4) has made a complaint before the Public Grievance Redressal Cell regarding the certificate of the petitioner being forged and fabricated.

3. Learned counsel for the petitioner submits that the aforesaid assertion of the Child Development Project Officer regarding the certificates of the petitioner being fabricated is based on no positive information. The petitioner is in possession of the original mark sheets and certificates of her academic qualification.

4. In any view of the matter, it is only the apprehension of the petitioner that private respondent no. 7 who is placed at Serial No. 2 in the merit list shall be appointed in place of the petitioner. Such an apprehension of the petitioner at this stage appears to be misconceived. Even if the statement of the petitioner that a complaint



has been made by the Child Development Project Officer, Block - Sahdei Bujurg, Vaishali before the Public Grievance Redressal Cell is found to be true, without noticing the petitioner, no order shall be passed against her.

5. The complaint of the Child Development Project Officer, Block - Sahdei Bujurg, Vaishali has not yet been acted upon.

6. Under such circumstances, the present writ petition appears to have been filed before the actual cause of action has arisen for the petitioner to approach this Court.

7. It is surprising and heartening, both, to find that as the petition has been filed hurriedly and is premature, the State also has chosen to file a counter affidavit only on the basis of the apprehension expressed in the petition by the petitioner.

8. In any view of the matter, since the stage has not come for any interference, this Court is loath in passing any further order except for granting liberty to the



petitioner to withdraw this writ petition in order to approach the concerned/relevant authority for redressal of her grievances as and when situation so arises.

9. With the aforesaid liberty, the petition is permitted to be withdrawn.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.04.2019
Transmission Date	

