

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2494 of 2019

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Bibi Ruhi Khatoon @ Bibi Ruhi Parwin Wife of Shahanwaj Hussain Resident
of Village- Lat- Kharid, Ward No. 10, P.S. Bhirbhiri, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna
2. The Director, Directorate of I.C.D.S. Govt. of Bihar, Patna
3. The Collector, Araria.
4. The District Programme Officer, I.C.D.S. Araria.
5. The Block Lady Supervisor, I.C.D.S., Sikti, Distt. Araria.
6. The Block Development Officer-Cum-Child Development Project Officer C.D.P.O. Sikti, Distt. Araria.
7. Panchayat Secretary, Gram Panchayat-Bhirbhiri, P.S. and Block Sikti, Distt. Araria.
8. Manisha Devi Wife of Sudama Prasad Resident of Gram Panchayat-Bhirbhiri, Block and P.S. Sikti, Distt. Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar Jha, Advocate
For the Respondent/s	:	Mr. Md. Raisul Haque (SC-10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 19-02-2019

Heard the learned counsel for the petitioner and the State.

2. The petitioner is aggrieved by the fact that private respondent no. 8 has been appointed/engaged as Aanganwari Sewika in the concerned centre, in place of the petitioner, who has obtained higher marks than the private respondent no. 8.

3. It is the case of the petitioner that pursuant to an advertisement for appointment of Aanganwari Sewika, the petitioner had applied and had been successful. Her name was empanelled showing her percentage of marks to be 64.9%. Private respondent no. 8 who has been



appointed on the post has 52.9% on the basis of required qualification. Finding that despite the petitioner being higher in the merit list her claim was bypassed a representation was made by her before the District Magistrate, Araria but to no avail.

4. Under the aforesaid circumstances, this Court directs the petitioner to make a fresh representation before the District Programme Officer (I.C.D.S.), Araria within a period of four weeks from today. On receipt of such representation, the District Programme Officer (I.C.D.S.), Araria shall, after hearing the parties viz. the petitioner and private respondent no. 8 stake holders, shall pass a reasoned order within a period of six weeks thereafter.

5. Needless to state that if the petitioner continues to remain aggrieved by the decision of the District Programme Officer (I.C.D.S.), Araria, she has the forum of appeal before the Collector, Araria.

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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.02.2019
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