

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4476 of 2019

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Renu Kumari, age-21 years, Female, W/o Manjay Kumar Singh, Resident of Village-Kerai, Chakhoja, P.S. and Anchal-Bibhutipur, District-Samastipur, (Ward No. 14).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. Director, Integrated Child Development Officer (I.C.D.A.), Govt. of Bihar, Patna.
3. District Magistrate-cum-Collector, Samastipur.
4. District Programme Officer, Establishment, Samastipur.
5. Sub-Divisional Magistrate, Rosera, Samastipur.
6. Child Development Project Officer Bibhutipur, Samastipur.
7. Kanchan Kumari, W/o Rajesh Kumar, Resident of Village-Kerai, Chakhoja, P.S. and Anchal-Bibhutipur, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Respondent/s : Mr. Prashant Pratap, GP-2

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 25-03-2019

The petitioner is aggrieved by the fact that despite the private respondent No. 7 having some disqualification, she has been appointed as Anganbari Sevika



in her place, who is the most suitable candidate.

2. From the records, it appears that pursuant to an advertisement issued on 17.12.2017 for appointment of Anganbari Sevika at Anganbari Centre No. 311, Ward No. 14, falling in Panchayat and Anchal-Bibhutipur in the district of Samastipur, the petitioner as well as private respondent No. 7 had applied for the same. Though, the position of the petitioner was lower in the merit-list than the private respondent No. 7, but the private respondent No. 7 ought not to have been considered for appointment on the post of Anganbari Sevika because her father-in-law is a government servant, earning more than 12,000/- rupees per month as his salary.

3. It has been submitted that according to the guidelines of 2010, such person whose father-in-law is in Government service, could not be considered for being appointed on the post of Anganbari Sevika.

4. A complaint in this regard was made by the petitioner before the District Programme Officer, Samastipur on 06.12.2018 but till date, nothing has been done by the



aforesaid District Programme Officer, Samastipur.

5. Under the aforesaid circumstances, this Court deems it appropriate to direct the District Programme Officer, Samastipur to expedite the hearing of the complaint made by the petitioner and after hearing the petitioner, the private respondent No. 7 and other stake holders, pass an appropriate order in accordance with law preferably within a period of four months from the date of receipt/production of a copy of this order.

6. Should the petitioner feel aggrieved even thereafter, she would have the opportunity of preferring an appeal against the order of the District Programme Officer, Samastipur before the District Magistrate-Cum-Collector, Samastipur.

7. With the aforesaid observation and direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	26.03.2019
Transmission Date	N/A

