

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3774 of 2019

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Mamta Kumari W/o Sri Umesh Prasad Resident of Village-Teusa P.S.
Atri,Tausa,Dist.-Gaya-823311

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary,Social Welfare Department,Govt. of Bihar,Patna
2. The Director, Integrated Child Development Scheme (ICDS),Directorate,Bihar
3. The District Magistrate, Gaya
4. The District Program Officer, Gaya
5. The Child Development Project Officer,Atri,Gaya
6. Rupam Bharti W/o Ravikant Bharti R/o Vill and Post-Teusa,Block-Atri,P.S. Atri,Dist.-Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manisha Singh
For the Respondent/s : Mr. Md. Raisul Haque (SC10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT
Date : 01-03-2019

Heard the learned counsel for the petitioner and the State.

The petitioner is aggrieved by the order dated 31.12.2018 passed by the District Programme Officer, Gaya in Anganwari Case No. 103 of 2018, whereby the appointment of the petitioner as Anganwari Sewika has been cancelled with immediate effect and in her place, private-respondent no. 6 has been appointed.



It is the case of the petitioner that she was adjudged the most suitable candidate for being appointed as Anganwari Sewika in the concerned Anganwari Centre and was offered the appointment.

Aggrieved by the appointment of the petitioner, the private-respondent no. 6 challenged the aforesaid appointment on the ground that petitioner has obtained such appointment on forged and fabricated educational certificate.

The petitioner submits that the aforesaid ground of challenge by the private-respondent no. 6 was non-existent but the District Programme Officer, Gaya without looking at the defence of the petitioner, has passed the order in a mechanical order.

This Court finds that there is provision for appeal which the petitioner has not availed of.

In the aforesaid facts and circumstances, this Court directs the petitioner to prefer an appeal against the order of District Programme Officer, Gaya before the District Magistrate, who is the appellate authority, within a period of three weeks from today. On receipt of such memo of appeal,



the Collector, Gaya shall dispose off the same by a reasoned order, preferably within a period of six weeks thereafter, after hearing the petitioner, private-respondent no. 6 and other stake-holders.

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

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	06.03.2019
Transmission Date	

