

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 7924 of 2015

Rashmi Hembram, wife of Sri Shyam Marandi, resident of village - Sabaiya,
P.S. -Dharhara, District- Munger

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Integrated Child Development Programme, ICDS, Bihar at Patna.
3. The District Magistrate, District - Munger.
4. The District Programme Officer, District- Munger.
5. The Block Development Officer, Dharahara Block, District- Munger.
6. The Child Development Project Officer, CDPO Dharahara Block, District- Munger.
7. The Ward Member, Ward No. 2 of the Bangalawa Gram Panchayat Raj, Dharahara Block, District- Munger.
8. The Panch, Ward No. 2 of the Bangalawa Gram Panchayat Raj, Dharahara Block, District- Munger.
9. Smt. Agasta Hansda wife of Sri Amit Marandi resident of village- Sabaiya, PS - Dharhara, District- Munger.

... .. Respondent/s

For the Petitioner/s : Mr Bhola Kumar, Advocate
For the Respondent/s : Mr Krishna Kr Singh, AC to GP XXII

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and the respondent-State.

Petitioner has approached this Court against the selection of respondent No 9 and claims that, being placed as the first candidate prepared for selection, she was entitled to be selected as Angan Bari Sevika for Center No 136, Ward No 2 of Bangalwa Panchayat, Block – Dharhara in the district of Munger.

Petitioner has been held to be disqualified on account of employment of her father-in-law under the Central



Government.

Learned counsel for the respondent-State submits that, without availing any remedy before the authorities under the Guidelines, petitioner has approached this Court directly. The Amendment to the 2006 Guidelines, which is dated 17.05.2013, provides for a forum before the District Programme Officer.

In view of existence of such adequate alternative remedy, petitioner's counsel submits that he would approach the District Programme Officer and relying upon decision of this Court in the case of *Sunita Kumari -Versus- State of Bihar & Others* since reported in 2010 (3) PLJR 68, he would try to persuade the authorities to pass orders in favour of her selection.

In view of such submission, writ petition is disposed of with liberty to the petitioner to approach respondent No 4.

In case, the petitioner approaches respondent No 4 within four weeks from today, respondent No 4 will consider the claim of the petitioner by a reasoned and speaking order in accordance with law after hearing the parties concerned expeditiously and without any undue delay.

(Madhuresh Prasad, J)

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