

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5081 of 2019

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Jaynti Kumari, wife of Niranjan Kumar, resident of Village-Sadhamoh, P.S.
Bounsi, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Social Welfare Department, I.C.D.S., Indira Bhawan, Bihar, Patna.
3. The District Magistrate, Banka.
4. The District Programme Officer, Banka.
5. The Child Development Project Officer, Bounsi, District- Banka.
6. Chandni Kumari, wife of Mukesh Kumar, resident of Village-Sadhamoh, P.S.- Bounsi, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kaushal 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 : 12-04-2019

Heard the counsel for the parties.

2. The petitioner is aggrieved by the order dated 14.02.2019 passed by the District Programme Officer, Banka (respondent No. 4) whereby on the complaint made by private respondent No.6, the appointment of the petitioner on the post of *Anganbari Sevika* for *Anganbari* Centre-Sadhamoh under Ward No. 2 of Bounsi Block has been cancelled and the C.D.P.O., Bounsi has been directed to take steps for appointment of private respondent No. 6 in



pursuance to the guidelines issued in that regard in the year 2016.

3. The claim of the petitioner has been bypassed by the District Programme Officer, Banka (respondent No. 4) on the complaint of private respondent No. 6 that on the day of selection, private respondent No. 6 even though was present in the *Aam Sabha*, her candidature was not considered.

4. The aforesaid factual position has been disputed by the petitioner on the basis of the report which was placed before the District Programme Officer, Banka (respondent No. 4). The other ground of challenge of the petitioner is that the show cause reply given by the petitioner was not considered by the District Programme Officer, Banka.

5. Under the aforesaid circumstances, the petitioner is directed to prefer an appeal before the District Magistrate, Banka (respondent No. 3) within a period of four weeks from today, urging all the grounds which have been raised in the present petition. Should such an appeal be filed within the aforesaid period, the District Magistrate, Banka (respondent No. 3) shall, after noticing the parties/stake holders including



the private respondent No. 6 and verifying all the records, pass a reasoned order in accordance with law within a further period of six weeks thereafter.

6. Should the petitioner feel aggrieved by the order of the District Magistrate, Banka (respondent No. 3), she would have liberty to approach this Court again

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

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15/04/2019

