

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6370 of 2019

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Kiran Kumari, W/o Manoj Kumar Sharma @ Manoj Kumar Vill.- Khartri,
Ward No. 13, Gram Panchayat- Khartri, Middle, P.s.- Chiraiya, Distt.- East
Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department,
Govt. of Bihar, Patna
2. The Principal Secretary Social Welfare Department, Govt. of Bihar, Patna
3. The Director I.C.D.S. (Social Welfare Department), Govt. of Bihar, Patna
4. The District Magistrate-cum-collector East Champaran, Distt.- Motihari
5. The District Programme Officer East Champaran, Distt.- Motihari
6. The Child Development Officer Chiraiya, East Champaran, Distt.- Motihari
7. The Mahila Supervisor Child Development Project, Chiraiya, District- East
Champaran, Motihari
8. Pratima Kumari W/o Subodh Kumar Paswan Vill.- Khartri, Ward No. 14,
P.s.- Chiraiya, Distt.- East Champaran, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Sharda Nand Mishra, Advocate
For the Respondents	:	Mr. Gyan Prakash Ojha (GA7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 23-04-2019

Heard the learned counsel for the parties.

2. The petitioner has challenged the appointment/engagement of private respondent no. 8 on the post of Aanganwari Sevika at Aanganwari Centre No. 272 in Gram Panchayat Khartari Middle in the district of Motihari on the ground that the rightful claim of the petitioner has been bypassed. The petitioner was placed



above the private respondent no. 8 in the merit list but her claim has been bypassed because of her not being of the dominant caste of the area. The petitioner hails from the Scheduled Tribe community. A complaint in that regard has been filed before the District Programme Officer, Motihari in the month of January, 2019 but the same has not yet been disposed of.

3. Under the aforesaid circumstances, this Court directs the petitioner to make a fresh complaint/representation before the District Programme Officer, East Champaran, Motihari (respondent no. 5) within a period of four weeks from today, who on receipt of the same shall, after affording hearing to the petitioner and other stakeholders including the private respondent no. 8, pass a reasoned order on such complaint within a period of eight weeks thereafter.

4. Needless to state that if the petitioner still feels aggrieved by the decision of the District Programme Officer, East Champaran, Motihari, she would have the



option of filing an appeal against the aforesaid order before the District Magistrate, East Champaran, Motihari.

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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.04.2019
Transmission Date	

