

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7505 of 2019

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Madhumala Kumri, Wife of Pappu Kumar Ram, Resident of Village and Post-
Dharampur Bandey, P.S.- Patory, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare Bihar, Patna.
2. The Director Integrated Child Development Services, Bihar, Patna.
3. The Divisional Commissioner, Darbhanga Division, Darbhanga.
4. The District Magistrate, Samastipur.
5. The District Programme Officer (I.C.D.S.), Samastipur.
6. The District Welfare Officer, Samastipur.
7. The Child Development Project Officer, Morwa, Samastipur.
8. The Mukhiya, Gram Panchayat Raj Dharampur Bandey, Morwa Block, District- Samastipur.
9. The Panchayat Secretary, Gram Panchayat Raj Dharampur Bandey, Morwa Block, District- Samastipur.
10. Deepa Devi W/o Manoj Ram Resident of Village- Dharampur Bandey, P.S.- Patory, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate
For the Respondent/s : Mr. Prashant Pratap (GP2)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 17-06-2019

Heard the learned counsel for the parties.

2. The petitioner is aggrieved by the selection of

Private Respondent No. 10 on the post of Aanganwari

Sahayika at Aanganwari Centre Code No. 176 situated in

Ward No. 11 in Panchayat Dharampur Bandey under the

Morwa Block of district Samastipur.



3. It is the case of the petitioner that she has higher marks than Private Respondent No. 10 and only because of her marks, she was ranked No. 1 in the merit list by the Aam Sabha. Despite this, Private Respondent No. 10 has been appointed on such post. A complaint against the aforesaid appointment of Private Respondent No. 10 has already been filed by the petitioner before the District Programme Officer, Samastipur on 11.01.2019 but till date, the same has not been disposed of.

4. This Court deprecates such lackadaisical approach of the functionaries of the State.

5. In any view of the matter, considering that the authority under the Act who is to first decide the dispute is the District Programme Officer.

6. This Court directs the petitioner to make a fresh complaint before the District Programme Officer, Samastipur (respondent no. 5) within a period of four weeks from the date of passing of this order. On receipt of the aforesaid complaint by the District Programme Officer,



he shall conclude the proceedings after giving hearing to the petitioner and the Private Respondent No. 10 and shall pass a reasoned order in accordance with law within a further period of four weeks of the receipt of such complaint.

7. Should the petitioner remain aggrieved even thereafter, she would have the opportunity of assailing the order of the District Programme Officer before the appellate authority viz. the District Magistrate, Samastipur (respondent no. 4).

8. With the aforesaid direction/observation, the writ petition stands disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.06.2019
Transmission Date	

