

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7908 of 2019

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Soni Kumari, aged about 26 years, Female, W/o Shashi Shankar Kumar,
Resident of Village- Yodhan Bigha, P.O.- Nimi, P.S.- Shekhopur Sarai, Distt.-
Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through its Director, Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director, Department of Social Welfare, Govt. of Bihar, Patna.
3. The District Magistrate, Sheikhpura, District- Sheikhpura.
4. The District Programme Officer, Sheikhpura, District- Sheikhpura.
5. The Block Development Officer, Shekhopur Sarai, District- Sheikhpura.
6. The Child Development Programme Officer, Shekhopur Sarai, District- Sheikhpura.
7. The Panchayat Secretary, Gram Panchayat Raj Ambari, Block Shekhopur Sarai, District Sheikhpura.
8. The Mukhiya, Gram Panchayat Raj Ambari, Block- Shekhopur Sarai, District- Sheikhpura.
9. Sub Divisional Public Grievance Redressal Officer, Sheikhpura, District- Sheikhpura.
10. Rekha Kumari, Wife of Rakesh Malakar, resident of Village- Yodhan Bigha, Post Office- Nimi, P.S. Shekhopur Sarai, District- Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s : Mr. Raisul Haque (SC10)



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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 13-05-2019

The petitioner has challenged the order dated 16.03.2019 passed by the Bihar Public Grievances Redressal Cell, Sheikhpura Sub-Divisional Office, whereby a direction has been issued for appointment of private respondent No. 10 on the post of Anganbari Sevika at the concerned Anganbari Centre in place of the petitioner.

2. The learned counsel for the petitioner has submitted that the concerned Redressal Cell does not have the authority to direct for appointment of a particular person on the post of Anganbari Sevika or removal of any person from such post. The authority vests with the District Programme Officer, I.C.D.S. of the concerned district. It has been urged that in the aforesaid circumstances the order is *non-est*.

3. The petitioner is, however, permitted to withdraw the present petition in order to make a complaint before the District Programme Officer, I.C.D.S., Sheikhpura



against the aforesaid order dated 16.03.2019.

4. Should such a complaint be filed, the District Programme Officer, Sheikhpura, after looking into the entire set of facts as also affording hearing to the petitioner, the private respondent No. 10 and all other stakeholders, shall pass order in accordance with law within a reasonable period of time, preferably within a period of eight weeks from the date of filing of such complaint.

5. Needless to state that the aspect of the order which has been challenged in the present petition being *non-est* in the eyes of law will also be looked into by the District Programme Officer, Sheikhpura.

6. With the aforesaid observation/direction, the present petition is permitted to be withdrawn.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.05.2019
Transmission Date	N/A

