

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8292 of 2019

Nilam Kumari, Wife of Bharat Bhushan Kumar Resident of Village- Kundwa,
Post- Naudiha, Police Station- Khizer Sarai, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, I.C.D.S., Bihar, Patna.
3. The District Magistrate, Gaya.
4. The District Programme Officer, Gaya.
5. The Child Development Project Officer, Khizer Sarai, Gaya.
6. The Mukhiya, Gram Panchayat, Kundwa, Police Station- Khizer Sarai, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate
For the Respondent/s : Mr. Md. Raisul Haque (SC 10)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 17-05-2019

Heard the learned counsel for the parties.

2. The petitioner, who was an aspirant for being appointed as Aanganwari Sevika at the concerned centre was adjudged the most suitable candidate and was placed at Serial No. 1 in the merit list which was prepared for the purpose. However on an objection by another aspirant that the petitioner does not hail from the concerned area, she could not get the appointment letter. The District Programme Officer, Gaya after enquiry from the sources



came to the opinion that Mapping Register has not been properly prepared. Hence a direction was given to prepare the Mapping Register in accordance with the rules and thereafter initiate a fresh process of appointment of Aanganwari Sevika.

3. Learned counsel for the petitioner has submitted that the grounds that went into consideration by the District Programme Officer, Gaya are not in consonance with the facts which are existing. The petitioner not only has all the qualifications but also hails from the area from where candidates have to be selected. However, the petitioner has chosen to approach this Court directly without exhausting her remedy of preferring an appeal before the Collector of the District.

4. Under the aforesaid circumstances, the petitioner is directed to prefer an appeal against the order of the District Programme Officer, Gaya dated 01.12.2018 within a period of four weeks from today. Should such an appeal be filed within the aforesaid period, the District



Magistrate, Gaya (respondent no. 3) would be under an obligation to hear the parties, verify the facts and pass a reasoned order in accordance with law within a period of eight weeks thereafter.

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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2019
Transmission Date	

