

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14446 of 2019**

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Meena Kumari W/o Pintu Kumar Vill.- Bangaon Bazaar, Ward No. 10, Block-  
Bajpatti, Distt.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Child Development and Social Welfare Department, Govt. of Bihar, Patna
2. The Director Integrate Child Development and Social Welfare Department, Indra Bhawan, Govt. of Bihar, Patna
3. The District Magistrate Sitamarhi, Distt.- Sitamarhi
4. The District Programme Officer Sitamarhi, Distt.- Sitamarhi
5. The Child Development Project Officer Bajpatti, Distt.- Sitamarhi
6. The Mahila Supervisor Child Development Project Bajpatti, Distt.- Sitamarhi
7. The Mukhiya Gra Panchayat Bangaon Uttari Block- Bajpatti, Distt.- Sitamarhi
8. Suchita Kumari W/o Ravindra Kumar Vill.- Bangaon, Ward No. 10, P.s.- Bajpatti, Distt.- Sitamarhi

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar  
For the Respondent/s : Mr. Prashant Pratap (GP2)

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      22-07-2019                      A supplementary affidavit has been filed on behalf  
  
of the petitioner. Let it be taken on record.

Heard Mr. Birendra Kumar, learned counsel for the  
  
petitioner and Mr. Lala S. N. Raees, AC to GP-2.

The petitioner seeks quashing of the order dated  
  
02.04.2019 passed by the District Programme Officer,  
  
Sitamarhi contained in Memo No. 1150, whereby the



selection of the petitioner has been cancelled on the ground which according to the petitioner is erroneous and, therefore, it has been prayed that it be set aside.

From perusal of the order impugned, it appears that the candidature of the petitioner has been cancelled on the ground that the *Aam Sabha* was not summoned in accordance with rules.

Learned counsel for the petitioner has drawn the attention of this Court to various facts including the information obtained under the RTI indicating that the name of the petitioner falls in the concerned / relevant area (*Poshak Kshetra*).

Apart from this, learned counsel for the petitioner has also drawn the attention of this Court to the Resolution of the *Aam Sabha* and has submitted that there has not been any breach of the Rules / Guidelines in this regard.

In any view of the matter, under the earlier Rules, any order passed by the District Programme Officer was appealable before the District Magistrate of the concerned district. Under the Rules of 2019, against the order passed



by the District Programme Officer with respect to the appointment of any person on the post of *Anganwari Sevika* / *Anganwari Sahayika*, the forum of revision is available with the concerned Divisional Commissioner.

The petitioner, therefore, under the aforesaid circumstances, is directed to prefer a revision against the order impugned before the concerned Divisional Commissioner, who, on receipt of such petition, shall pass necessary orders looking into the entire set of facts in accordance with law, within a period of six weeks thereafter.

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

**(Ashutosh Kumar, J)**

skm/-

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