

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13213 of 2019

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Rita Kumari @ Reeta Kumari, wife of Manoj Kumar Chaudhari, resident of Village-Chamarha, Ward No.8, P.S.- Dinara, Dist.-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna
3. The Director, Integrated Child Development Scheme, Bihar, Patna
4. The District Magistrate, Rohtas at Sasaram
5. The District Programme Officer, Rohtas at Sasaram.
6. The Child Development Project Officer, Kochas, Rohtas at Sasaram.
7. The Panchayat Secretary, Gram Panchayat Raj, Nauwan, Rohtas at Sasaram.
8. Sarita Kumari wife of Deepak Kumar, resident of Village Chamarha, P.S.- Dinara, Dist. Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Ms. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-07-2019 The petitioner has approached this Court for a direction to the respondent authorities to appoint the petitioner forthwith on the post of *Anganbari Sevika* at the concerned centre and pay her the salary and other consequential benefits which is attached to such engagements.

2. It appears that the petitioner was one of the candidates for being appointed as *Anganbari Sevika* at



Anganbari Centre No. 145 in the District of Rohtas at Sasaram. In the *Aam Sabha*, the name of the petitioner figured at Serial No. 1 whereas the private respondent No. 8 was placed at serial No. 7. However, on a false complaint by private respondent No. 8 that the educational certificates of the petitioner are forged, the matter was enquired by the C.D.P.O. Later, under the orders of the District Magistrate, Rohtas at Sasaram, the complaint of private respondent No. 8 was instituted before the District Programme Officer, Rohtas at Sasaram, who, after proper verification found the certificates of the petitioner to be genuine and passed an order that the petitioner be appointed as *Anganbari Sevika*. Despite the order of the District Programme Officer, Rohtas at Sasaram, the petitioner has not yet been appointed on the post on the sole plea of an appeal pending against the aforesaid order before the District Magistrate, Rohtas at Sasaram.

3. The learned advocate for the petitioner has



submitted that private respondent No. 8 has not preferred an appeal and according to the information of the petitioner, the husband of private respondent No. 8 has filed a petition before the District Magistrate, Rohtas at Sasaram. The petitioner has not yet received any notice in such appeal/representation/complaint. Only because an appeal/representation/complaint is pending before the District Magistrate, Rohtas at Sasaram, the petitioner has not been appointed on such post and the matter is hanging fire since long.

4. Under the aforesaid circumstances, this Court directs the petitioner to file a representation before the District Magistrate, Rohtas at Sasaram (respondent No. 4) apprising him of the developments in this case. On such representation, if it is found by the District Magistrate, Rohtas at Sasaram that any appeal has been preferred against the order of the District Programme Officer, Rohtas at Sasaram directing the appointment of the petitioner on the post of *Anganbari*



Sevika, the aforesaid representation of the petitioner shall be tagged along with the appeal and in that event, the District Magistrate shall dispose of the appeal after affording hearing to the parties and other stake holders within a reasonable period of time, preferably within a period of three months of the receipt of the representation of the petitioner.

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

(Ashutosh Kumar, J)

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