

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14812 of 2019

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Samsha Khatoon @ Ramsa Bibi W/o Guddu Tiwari Vill. and P.o.- Jaitpur
Kala, P.s.- Bhagwanpur, Distt.- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department,
Govt. of Bihar, Patna
2. The Principal Secretary Social Welfare Department, Govt. of Bihar, Patna
3. The D. M. Kaimur (Bhabhua)
4. The District Programme Officer Kaimur (Bhabhua)
5. The Director ICDS, Govt. of Bihar, Patna
6. The C.D.P.O. Bhagwanpur, Block- Bhagwanpur, Distt.- kaimur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar
For the Respondent/s : Mr.Gyan Prakash Ojha (Ga7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-07-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner, who was one of the aspirants for

being considered for being appointed as *Anganwari Sevika* at

the concerned centre, claims that in the *Aam Sabha*, she was

adjudicated the most suitable candidate but for some reason

or the other, appointment process could not be concluded

and the petitioner was not handed over the engagement /

appointment letter.

Learned counsel for the petitioner has stated



that perhaps it was because of a complaint filed by one Umrawati Devi before the District Programme Officer, Bhabhua. The District Programme Officer, Bhabhua on receiving such complaint by the objector found that twice the *Aam Sabha* could not record its minutes because of ruckus created in such *Aam Sabha* and, therefore, directed the concerned C.D.P.O. to take stock of the situation, verify the facts and take a decision with respect to concluding the process of appointment. All this was done under the Guidelines of 2016.

The order of the District Programme Officer, Bhabhua is dated 23.01.2019.

Till date, the C.D.P.O. has not done anything in the matter and the issue still hangs fire.

Under the new Rules of 2019, the C.D.P.O. is the authority which is to be approached first in case of any complaint regarding appointment of *Anganwari Sevika* / *Anganwari Sahayika*.

The concerned C.D.P.O., therefore, is directed to take a decision in the matter within a period of 30 days



which is the prescribed period for deciding such matters by her under the new Rules of 2019. In case, no decision is taken by the C.D.P.O. within the aforesaid period, the matter shall automatically stand transferred to the concerned District Programme Officer to take a decision over the issue. If the petitioner remains dissatisfied even thereafter, she may prefer a revision before the concerned Divisional Commissioner.

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

(Ashutosh Kumar, J)

skm/-

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