

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15484 of 2019

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Aabha Kumari, aged about 29 years, female, wife of Sri Rajesh Kumar,
Resident of Village- Sarwa, P.S. Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Govt of Bihar, Patna.
3. The Director, Integrated Child Development Services, Social Welfare Department, Govt of Bihar, Indira Bhawan, Patna.
4. The District Magistrate, Sheikhpura.
5. The District Programme Officer, Sheikhpura.
6. The Deputy Development Commissioner, Sheikhpura.
7. The Child Development Project Officer, Barbigha, Sheikhpura.
8. The Lady Supervisor, the Child Development Project Officer Office, Barbigha, Sheikhpura.
9. Gunjan Kumari, aged about not known to the petitioner, female, wife of Sri Satyanarayan Paswan, Resident of Village- Sarwa, P.S. Barbigha, District- Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar, Adv.
For the Respondent/s : Md. Raisul Haque (SC10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 05-08-2019

The petitioner is aggrieved by the appointment
of private respondent No. 9 on the post of Aanganbari



Sevika in Ward No. 11 of Barbigaha Block in the District of Sheikhpura on the ground that her nearest family member is in government service and is getting salary of more than Rs. 12,000/-, disentitling her from being appointed on such post.

2. It has been submitted on behalf of the petitioner that against an advertisement issued on 01.05.2018, the petitioner along with others had applied for being considered for appointment on the post of Aanganbari Sevika at the concerned Aanganbari Centre. In the merit-list, with the candidature of persons at Serial Nos. 1, 2 and 3, a disqualification is attached of there being a government servant in their families, earning more than Rs. 12,000/-. In that event, only the petitioner could have been appointed on such post. However, because of the machinations of the local C.D.P.O., in collusion with the private respondent, the claim of the petitioner has been rejected and in an unauthorized manner, private respondent No. 9 has been offered the appointment letter.

3. The complaint made by the petitioner in this



regard before all the authorities including the District Magistrate, Sheikhpura has yielded no result till date.

4. The petitioner, under the aforesaid circumstance, is directed to make a suitable complaint/representation afresh before the Child Development Project Officer, Barbiga, Sheikhpura (respondent No. 7) within a period of three weeks from today, who, on receipt of the same, after verification of the facts and hearing the parties, shall pass a reasoned order in accordance with law within a period of thirty days from the date of receipt of such complaint/representation.

5. Should the concerned Child Development Project Officer fail to pass an order within the aforesaid timeline, the complaint/representation of the petitioner would stand automatically transferred to the office of the District Programme Officer, Sheikhpura (respondent No. 5), who shall decide the issue in accordance with law after verification of all relevant facts. If the petitioner still remains dissatisfied, she would have the forum of revision before the concerned Divisional Commissioner.



6. The present scheme has been delineated in the order in view of the new guidelines of 2019.

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

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	07.08.2019
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