

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.23496 of 2019**

Bindu Devi @ Bindu Kumari, Female, Aged about 27 years, W/o Raja Ram Yadav, Resident of Village Benwalliya, P.S. Jhaua, P.O. Benwalliya, District Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme (ICDS), Directorate, Bihar, Patna.
3. The Collector, Bhojpur, Ara.
4. The District Programme Officer, Bhojpur, Ara.
5. The Child Development Project Officer, Shahpur, Bhojpur.
6. Madhu Kumari, W/o Om Prakash, Resident of Village Benawaliya, P.S. Jhaua, District Bhojpur.

... .. Respondent/s

**Appearance :**

|                    |   |                              |
|--------------------|---|------------------------------|
| For the Petitioner | : | Mrs. Sunita Kumari, Advocate |
| For the State      | : | Mr. Kuamri Amrita, G.P.3     |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      28-11-2019                      Heard both sides.

The petitioner sought following reliefs:

(i) For issuance of appropriate writ in the nature of Mandamus seeking direction to Respondent to appoint the petitioner upon the post of Anganbari Sevika who belongs to dominated caste category in Village Panchayat Benwalia and has fulfilled all criteria for selection but Respondent has appointed a candidate who did not belong to dominated caste category and who has crossed the upper age limit.



(ii) For issuance of appropriate writ in the nature of Certiorari for quashing the selection of Respondent No.6 upon the post of Anganbari Sevika who was over age and did not belong to dominated caste category but she was selected and working upon the said post in connivance with Respondent.

(iii) for any other relief or reliefs for which petitioner is entitled for.

Learned counsel for the petitioner submits that the petitioner applied for appointment on Anganwari Sevika of Village Panchayat Benawaliya, Ward No.11 along with other candidates. The petitioner secured 3<sup>rd</sup> place in the merit list. Rinku Devi got first place but she was disqualified on account of her being over age. Madhu Kumari who got second place in the merit list was selected. It is further submitted that Madhu Kumari does not belong to dominated caste nor fulfill criteria fixed under the guidelines issued by the department in the year 2016. The petitioner has filed representation before the Collector on 04.04.2019 and the same is still pending. It is submitted that the Collector, Bhojpur, Ara be directed to dispose of the representation of the petitioner so that the petitioner move before the appropriate authority, if aggrieved, against the selection of Madhu Kumari, respondent no.6.



Having considered the submissions of the learned counsel for the petitioner, I dispose of this writ petition with a direction to the Collector, Bhojpur, Ara to dispose of the representation of the petitioner expeditiously preferably within three months from the date of receipt of this order.

With the aforesaid direction, the writ petition is disposed of.

**(Prabhat Kumar Jha, J)**

S.KUMAR/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

