

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5689 of 2020

Rebti Kumari, female, aged about 25 yerars, wife of Praveen Kumar, Resident of Village - Pratappur, P.O. and P.S.- Kurtha, District- Arwal.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme (ICDS), Bihar, 2nd Floor, Indira Bhawan, R.C. Singh Path, P.O. Punaichak, P.S. Punaichak, District Patna.
3. The District Magistrate, Arwal.
4. The District Programme Officer, Arwal.
5. The Block Development Officer (BDO)-cum-Child Development Project Officer (CDPO), Kurtha, Arwal.

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Rajesh Kumar Sharma, Advocate
For the Respondents	:	Mr. Prashant Pratap, GP 2
		Mr. Gyan Shankar, AC to GP 2

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 27-05-2020

This matter has been taken up for hearing through video conference. Learned counsel for the petitioner undertakes that all defects shall be removed without delay immediately after the present lockdown ends, and in any event within one month thereof. Learned counsel for the respondents states that he has no objection if the defects are removed as proposed and the matter be taken up on merits in view of the stated urgency.

2. The following reliefs as formulated by the petitioner have been claimed in the writ petition –

“ i) *For issuance of writ in the nature of*



mandamus for commanding and directing the respondent no. 5 to permit and take joining of the petitioner on the post of Anganwari Sevika at Anganwari Centre No. 131, Ward No. 04 of Pratappur Tola under Gram Panchayat Raj-Sachai, District Arwal, which is denied unreasonably despite of the fact that the petitioner is duly selected under the process of law and Chairman of Selection Committee has issued appointment letter dated 25.02.2020 (Annexure-1) in favour of the petitioner, further direction to the respondents for disposal of petitioner's representation dated 13.03.2020 in terms of order dated 17.01.2020 passed in CWJC No. 25170/2019 whereby in same and similar matter Hon'ble Court had made direction to respondents authority for redressal of relief as mentioned above;

ii) And for any other relief/reliefs for which the petitioner is found to be entitled under the provision of law involved in the present case"

3. The petitioner states that she has been issued an appointment letter dated 25.02.2020 pursuant to a general meeting of the Aam Sabha held on that date by which she has been selected on the post of Anganwari Sevika for Anganwari Centre No. 131, Ward No. 04 of Pratappur Tola under Gram Panchayat Raj-Sachai, District Arwal. It is stated that she has however not been allowed to submit her joining despite being appointed as above.

4. Learned counsel for the petitioner submits that a representation dated 13.03.2020 addressed to the District



Programme Officer, Arwal (Respondent No. 4) has been filed, but the same remains pending. As such it will suffice if the writ petition is disposed of with direction to the respondents for early disposal of the said representation.

5. Learned counsel for the respondents appears and has been heard. It is stated that on the preliminary instructions received, it appears that full details have not been furnished by the petitioner in the aforesaid representation, and also that no Aam Sabha appears to have been held on 25.02.2020 as claimed by the petitioner.

6. Having heard the parties and on consideration of the materials on record, this Court is of the view that the ends of justice will be met by directing the petitioner to file a fresh detailed representation before the District Programme Officer (Respondent No. 4) with all relevant particulars. If the same is filed within a period of two weeks hereof, the same shall be considered and disposed of on its own merits in accordance with law and after grant of an opportunity of hearing to the petitioner, expeditiously and in any event preferably within a further period of three weeks thereafter.

7. It is made clear that in view of the ongoing lockdown and Covid-19 pandemic, any correspondence between the parties may be made through email and that the concerned authority shall be at liberty to hear the petitioner through



video conference. To enable the same, the petitioner undertakes to furnish his mobile number and e-mail ID to learned G.P. 2 not later than by Friday, i.e. 29.05.2020, for its onward transmission to the concerned authority.

8. The writ petition stands disposed of with the aforesaid observations and directions.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	28.05.2020
Transmission Date	-

