

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22860 of 2019

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Soni Devi, Wife of Sri Gopal Pandit, Daughter of Upendra Pandit, Resident of Village- Belsar, P.S.- Amdanda, Block- Sanhoula, Ward No. 04, P.O.- Srimatpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar at Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar at Patna.
3. The District Magistrate, Bhagalpur.
4. The District Programme Officer (Anganbari), Bhagalpur.
5. The Child Development Project Officer, Sanhoula, Bhagalpur.
6. The Block Development Officer, Sanhoula , Bhagalpur.
7. The Selection Committee (Anganbari Sewika/ Sahayika), through its President cum Ward Member, Ward No. 04 Amdanda Panchayat, Block- Sanhoula, District- Bhagalpur.
8. Smt. Soni Kumari, Wife of Sri Rambrikchh Pandit, Resident of Village- Belsar, Ward No. 05, P.O.- Srimatpur, P.S.-Amdanda, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Diwakar Upadhyaya, Advocate
For the State	:	Mr. Md. Raisul Haque, S.C.-10
		Mr. Md. Obaidullah, A.C. to S.C.-10

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT

Date : 17-01-2020

Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

2. The petitioner seeks directions to the respondents to make an in-depth enquiry upon the complaint filed by her and pass a speaking order after hearing the petitioner who was an applicant for the post of Anganwari Sewika for Anganwari Centre No.188, Belsar Kumhar Tola, Ward No.04, in Amdanda Panchayat of Sanhoula Block in Bhagalpur district.



3. Learned counsel for the petitioner submits that the petitioner had applied for appointment on the post of Anganbari Sewika/Sahayika for Anganbari Centre No.188 aforementioned. It is further submitted that though the petitioner had made an application for the post of Sewika, her application was considered against the post of Sahayika and not for the post of Anganbari Sewika and instead one Smt. Soni Kumari (respondent No.8) was considered by the respondent-authorities in place of the petitioner and was appointed to the post. Learned counsel for the petitioner submits that the petitioner is having more marks than the said Soni Kumari and respondent No.8 comes from Ward No.5 and not Ward No.4 where her selection has been made. It is further submitted that the name of respondent No.8 is also not present in the voters' list of Ward No.4, but exists in the voters' list of Ward No.5, therefore, respondent No.8 is also not from the same mapping area. He further submits that the appointment of respondent No.8 has been made against the guidelines for selection of Anganbari Sewika/Anganbari Sahayika, which warrants interference by this Court.

4. Learned counsel for the State submits that such submissions would require in-depth enquiry by the concerned respondent No.5, namely, C.D.P.O., Sanhoula, Bhagalpur and,



therefore, the matter may be relegated to respondent No.5 for appropriate enquiry.

5. Having considered the submissions of the parties and noticing the aforementioned facts as have been enumerated in the affidavit filed by the petitioner, the matter is relegated to the Child Development Project Officer, Sanhoula, Bhagalpur (Respondent No.5), who shall initiate in-depth enquiry into the matter and shall dispose of the representation of the petitioner dated 31.01.2019 within a period of six weeks from the date of receipt/production of a copy of this order.

Needless to say that before passing any final order, the Child Development Project Officer, Sanhoula, Bhagalpur (Respondent No.5) shall issue notice to all the parties concerned and after hearing them pass an appropriate reasoned order.

6. With the aforementioned directions, the writ application stands disposed of.

(Anjana Mishra, J)

PNM

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.

