

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.79 of 2020

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Sarita Kumari Wife of Chintu Kumar Yadav, Resident of Village Dhamaul,
P.O. Dhamaul, P.S. Dhamaul, Block Pakaribarawan, District Nawada.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director, Integrated Child Development Scheme (Social Welfare Department), Govt. of Bihar, Patna.
3. The District Magistrate, Nawada.
4. The District Programme Officer, Nawada.
5. The C.D.P.O. Block Pakaribarawan, District-Nawada.
6. The Lady Supervisor, Block Pakaribarawan, District-Nawada.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Harsh Anuj

For the Respondents : Mr. Lala S.N.Rais, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2020 The petitioner was selected as Anganbari Sevika for Anganbari Center No.188 in Ward No.1, Gram Panchayat Dhamaul in the district of Nawada. It transpires that certain irregularities were alleged in the process of selection and a three-member enquiry committee was constituted, which reported irregularities in the process of selection to the effect that the guidelines, prevalent at the time of selection, issued by the Social Welfare Department, Government of Bihar, were not strictly followed.

In the aforesaid background, while not interfering with the selection made by the selection committee, the District



Programme Officer, Nawada, by an impugned order dated 07.02.2019 has asked the selection committee to carry out the process of selection afresh, strictly in accordance with the guidelines issued by the Social Welfare Department by reconvening the *aam sabha* of gram panchayat. While passing the said order dated 07.02.2019, the District Programme Officer has made it clear that the parties shall have liberty to approach the appellate authority within 30 days, if they were aggrieved by his decision. The said order dated 07.02.2019 is under challenge in the present writ application.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner was not given any opportunity of hearing before passing the said order.

It is evident that the petitioner has remedy of appeal before the appellate authority. Considering the facts and circumstances, it is directed that if the petitioner files an appeal/application before the Divisional Commissioner, challenging the order impugned, in view of the new guidelines issued by the Social Welfare Department, Government of Bihar, in May 2019, within 30 days from today, petitioner's appeal/application shall be disposed of within three months thereafter.



This application stands disposed of.

(Chakradhari Sharan Singh, J)

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