

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.149 of 2020

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Sarita Devi @ Sarita Kumari, wife of Ram Prasad Singh, Resident of Village-
Sikraul, Police Station- Tarari, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director (ICDS), Directorate of Social Welfare Department, Government of Bihar, Patna.
3. The District Magistrate, Bhojpur at Ara.
4. The District Programme Officer (ICDS), Bhojpur at Ara.
5. The Child Development Project Officer, Tarari, Police Station and Block-Tarari, District- Bhojpur.
6. The Lady Supervisor, Posted in the Office of the Child Development Project Officer, Tarari, Police Station- Tarari, District- Bhojpur.
7. Smt. Suman Devi @ Suman Kumari, wife of Sri Dipak Kumar Pandey, resident of Village- Sikraul, Police Station- Tarari, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Arun Kumar Singh, Advocate Mr. Dharmendra Kumar Singh, Advocate
For the State	:	Mr.Md.Raisul Haque, 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 present writ application has been filed for a direction to the District Magistrate, Bhojpur at Ara (respondent No.3) to dispose of the petitioner's appeal, bearing Anganbari Appeal No.36/2019 filed on 24.07.2019 against the order dated 26.06.2019 contained in Memo No.1024 passed by respondent No.4 in Anganbari Case No.57/2018 based on a complaint lodged by respondent No.7.



3. Learned counsel for the petitioner submits that though the petitioner's appeal has been pending since 24.07.2019 against the order dated 26.06.2019, the matter has drifted and as a result thereof, the petitioner's appointment is hanging in balance. Learned counsel for the petitioner submits that she was only a candidate belonging to the Backward Caste and had higher merit marks than other candidates and, therefore, in the meeting of Aam Sabha held on 18.06.2018, the petitioner was selected as an Anganbari Sewika for Centre Code-208, Ward No.3 of Gram Panchayat-Basauri. She was also issued selection letter on 18.06.2018.

4. However, one other applicant-respondent No.7 being aggrieved by the petitioner's selection, moved before respondent No.4, which was registered as Anganbari Case No.57 of 2018. The petitioner filed her objection in the aforementioned case, but despite all her explanations, the petitioner's selection as Angabwari Sewika was cancelled vide order dated 26.06.2019 contained in Memo No.1024 issued by respondent No.4 and which forms the basis of the appeal pending as on date.

5. Learned counsel for the petitioner submits that the pendency of the Anganbari Appeal No.36/2019 has now resulted in the petitioner's not being able to join the post and it is logical and



in the interest of justice that the appeal should reach to its logical conclusion. He therefore submits that the appeal be disposed of expeditiously and appropriate direction be issued for the same. It is also submitted by the learned counsel for the petitioner that in her place now vide order dated 26.06.2019, respondent No.7 has been appointed which has caused serious prejudice to the petitioner.

6. Be that as it may, it would be appropriate and in the interest of justice that Anganbari Appeal No.36 of 2019 be taken up expeditiously by the District Magistrate, Bhojpur. It is therefore directed that the petitioner shall appear before the District Magistrate, Bhojpur within a period of two weeks from the date of receipt/production of a copy of this order and the District Magistrate shall hear all parties and dispose of the appeal in accordance with law positively within a period of six weeks thereafter.

7. 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.

