

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2551 of 2020

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Sangita Devi Wife of Vinod Gupta Resident of Village Goura, Damki Tola, PS
Karaiya, District Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Bihar, Patna.
2. The Director, Integrated Child Development Scheme, Bihar, Patna.
3. The District Magistrate, Gopalganj.
4. The District Program Officer, Gopalganj.
5. The Child Development Project Officer, Kataiya Gopalganj
6. Manju Devi @ Manju Kumari W/o Shambhu Gupta @ Shambhu Kumar Resident of Village- Goura, Damki Tola, PS Kataiya, District Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanat Kumar Mishra
For the Respondent/s : Mr.Prasant Pratap (Gp2)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 28-09-2021 The present writ petition has been filed seeking quashing of the order dated 14.12.2019 passed by the District Programme Officer, Gopalganj whereby and whereunder though the selection of the private respondent no. 6 has been cancelled, but the District Programme Officer, Gopalganj, instead of issuing a direction for appointing the petitioner as Anganbadi Sewika, has directed to initiate process for making fresh selection on the said vacant post of Anganbadi



Sewika at Centre No. 19, village-Goura, Damki Tola,
Ward No. 3, Block-Kataiya, District-Gopalganj.

At the outset, the learned counsel for the petitioner seeks liberty to file appropriate appeal before the Divisional Commissioner, Saran Division, Saran at Chapra in view of the provisions contained in Rule 10.3 of the Anganbadi Supervisor/Sewika/Sahayika Selection Guidelines, 2011, especially in view of the fact that the private respondent no. 6 has also preferred an appeal before the Divisional Commissioner, Saran Division at Chapra bearing appeal no. 70/2020 in which the petitioner has recently received notice.

Having considered the submissions made by the learned counsel for the petitioner, this Court also feels that it would be appropriate for the petitioner to approach the Divisional Commissioner, Saran Division, Saran at Chapra, by filing appropriate appeal against the order dated 14.12.2019 passed by the District Programme Officer, Gopalganj, so that the private respondent no. 6 shall also get an opportunity to put forth her



case vis-a-vis the case to be put forth by the petitioner in her appeal.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file appropriate appeal before the Divisional Commissioner, Saran Division, Saran at Chapra against the order dated 14.12.2019, passed by the District Programme Officer, Gopalganj and in case, such an appeal is filed within a period of four weeks from today, the same shall be considered by the appellate authority on merits, without being impeded by the issue of limitation and shall be disposed of, in accordance with law, by a speaking and a reasoned order, after hearing all the effected/ concerned parties.

(Mohit Kumar Shah, J)

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