

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9464 of 2020

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Kamla Devi Wife of Sri Sitaram Sahni Resident of Village- Noonphara, P.S.-
Piar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director, I.C.D.S., Department of Social Welfare, Government of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The District Programme Officer, I.C.D.S., Muzaffarpur.
5. The Block Development Officer, Bandra, District- Muzaffarpur.
6. The Child Development Project Officer (C.D.P.O.), Block- Bandra, District- Muzaffarpur.
7. The Mukhiya, Gram Panchayat- Noonphara, Block- Bandra, District- Muzaffarpur.
8. The Panchayat Secretary, Gram Panchayat- Noonphara, Block- Bandra, District- Muzaffarpur.
9. Kamini Kumari Wief of Awadhesh Kumar Resident of Village- Noonphara, P.S.- Piar, District- Muzaffarpur, Selected as Anganwari Sevika of Anganwari Centre No. 128, Gram Panchayat- Noonphara, Block- Bandra, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dilip Kumari Tiwary, Advocate
For the Respondent/s	:	Mr. Sunil Kumar Mandal, SC-3
For the Respondent No.9:	:	Mr. Abhinav Sandilya, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 16-08-2021 Heard Mr. Dilip Kumar Tiwary, learned counsel for the petitioner, Mr. Sunil Kumar Mandal, learned SC-3 for the State and Mr. Abhinav Sandilya, learned counsel appearing for the Respondent No. 9 through video conferencing.

2. The petitioner has filed the present writ application



challenging the appointment of Respondent No. 9 for the post of *Angan Bari Sevika* for *Anganbari* Centre No. 128, *Gram Panchayat, Noonphara, Block/Project-Bandra, Distt. Muzaffarpur*, on the ground that despite having secured highest marks in the merit list, the Respondents-*Mkhiya* and Panchayat Secretary, illegally selected the Respondent No. 9 as *Anganbari Sevika*.

3. Learned counsel for the State referring to Annexure-5 submits that as per the guidelines for appointment of the *Anganbari Sevika, 2016*, the District Programme Officer is the competent authority to decide the dispute of this nature and the petitioner has already filed a representation before the District Programme Officer, Muzaffarpur, at Annexure-5, as such, this Court may direct the Respondent-District Programme Officer, I.C.D.S., Muzaffarpur (Respondent No. 4) to dispose the representation filed by the petitioner in accordance with law.

4. Learned counsel appearing for the Respondent No. 9 supports the submission made by the learned counsel for the State.

5. Regard being had to the submission made by the parties and taking into consideration the fact that since the representation filed by the petitioner before Respondent No. 4



i.e. District Programme Officer, I.C.D.S., Muzaffarpur, is still pending, the Respondent No. 4 is directed to dispose the representation at Annexure-5 in accordance with law by speaking order after giving opportunity of hearing to all concerned, preferably, within a period of two months from the date of receipt/production of a copy of this order.

6. With aforesaid observation and direction, this writ application is, accordingly, disposed of.

(Anil Kumar Sinha, J)

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