

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.415 of 2022

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Sarita Devi, Wife of Surendra Mandal, Resident of Village-Dhanauli, P.S. Baheri, District-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, the Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director, ICDS, Department of Welfare, Govt. of Bihar, New Secretariat, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The D.M., Darbhanga.
5. The District Programme Officer, ICDS, Darbhanga.
6. The C.D.P.O., Baheri, Darbhanga.
7. The Secreary, Sanskrit Shiksha Shiksha Board, Patna.
8. Lalita Devi, W/o Sanjay Kumar Rakesh, R/o Village-Dhanauli, P.S.-Baheri, District-Darbhanga.
9. Sanjay Kumar Rakesh Husband of Latira Devit Village-Dhanauti, P.S.-Baheri, District-Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Prasad Yadav, Advocate
For the Respondent/s : Mr.Smt. Kumari Amrita, GP3

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 14-10-2022 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

On the last two dates when the matter was called the petitioner's counsel had not appeared. Today when it is called he has joined the virtual Court proceedings only to make a prayer for adjournment.

The order assailed in the writ proceedings dated 06.08.2021 is an order issued by the District Programme Officer, removing the petitioner from her functioning as 'Aanganwari Sevika' for Centre No.277 in Gram Panchayat Raj Dhanauli, Block Baheri, District Darbhanga.



The petitioner, in the writ petition, has stated that she has approached the District Magistrate against the order passed by the District Programme Officer by filing a representation on 21.08.2021. It is stated in the writ petition that these applications are pending.

From bare perusal of Annexure-5 series, it is obvious that the same has not been filed before the Competent Authority in terms of the 2019 Guidelines for selection of Aanganwari Sevika/Sahayika, according to which order of the District Programme Officer is subject to revision or appeal before the Divisional Commissioner.

The writ application is disposed of, with liberty to the petitioner to avail the remedy in accordance with law. If the appeal/revision is filed before the Respondent No.3 within four weeks, needless to say, the same is required to be considered and disposed of by a reasoned and speaking order, in accordance with law.

(Madhuresh Prasad, J)

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