

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7040 of 2021

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Asha Devi @ Asha Kumari W/o Singheshwar Mukhiya, Resident of Village-Bhagata, P.S.-Bheja District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, Directorate of ICDS Government of Bihar, Patna.
3. The District Magistrate Madhubani, District-Madhubani.
4. The District Programme Officer (ICDS), District-Madhubani.
5. Sub-Division Development Officer, Jhanjharpur, District-Madhubani,.
6. The Child Development project Officer Madhepur.
7. Sunita Kumari W/o Ranjeet Kumar Thakur, Resident of Village-Bhagata, P.S.-Bheja District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 09-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accept notice for respondent nos. 1 to 6.

Service of notice to respondent no. 7 is dispensed since no adverse order is passed against her.

3. In the instant petition, petitioner has prayed for following reliefs:

“1) That this petition is being filed for issuance of an appropriate writ/writs and order/orders in the nature of certiorari for quashing the order dated



21/02/2019 passed by the Sub-divisional Public Grievance Redressal Officer Jhanjharpur District- Madhubani in Complaint No. 505510103011901651 by which the complaint petition filed by the husband of the petitioner namely Singheshwar Mukhiya has been rejected and further for quashing the order passed by the District Programme Officer, Madhubani contained in Letter bearing memo no. 1724 dated 31.12.2019 in Miscellaneous Case No. 17/2019 by which the appeal filed by husband of the petitioner against the order dated 21.02.2019 passed by the Sub-divisional Public grievance redressal officer Jhanjharpur, has been rejected and further in the nature of mandamus for directing and commanding the respondent authority to cancel the selection of Private respondent no. 7 who has been selected on the post of Anganwari Sevika at Anganwari Center No. 293 Ward No. 2, under Gram Panchayat Basipatti, P.S.-Bheja, District-Madhubani and appoint the petitioner on the said post on the ground that petitioner has obtained more percentage of marks than the respective No. 7 and belongs from the cast of Mallah (Fisherman) who are in majority cast in concerned Poshak area.

And further for any other relief/reliefs for which petitioner is entitled in the facts and circumstances of the instant case.”

4. Petitioner is stated to have preferred appeal bearing Appeal No. 61 of 2019-20 dated 25.01.2020 and it is pending consideration before the appellate authority.

5. Therefore, 3rd respondent-appellate authority is hereby directed to decide the petitioner's appeal and pass speaking order within a period of three months from the date of



receipt of this order after giving due opportunity of hearing to
respondent no. 7- Sunita Kumari and the petitioner.

6. With the aforesaid observations, the instant petition
stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	23.02.2022
Transmission Date	

