

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3792 of 2022

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Nitu Kumari @ Neetu Devi @ Nitu Devi, Wife of Saroj Kumar, Village - Santpur, Resident of Panchayat - Kawaiya, P.O - Jamuniya, P.S. - Ghorasahan, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Bihar, Patna.
2. The Director, Integrated Child Development Services, Patna.
3. The Collector- cum-District Magistrate, East Champaran, Motihari.
4. The District Programme Officer , East Champaran, Motihari.
5. The Child Development Programme Officer, Ghorasahan, East Champaran.
6. Neelam Kumari, Wife of Awadh Kishore Kumar, Resident of Village - Kharsalwa, Panchyat - Kawaiya, P.O. - Jamuniya, P.S. - Ghorasahan, District - East Champaran, Bihar.
7. Heena Kaiser, Lady Supervisor -cum-Member Secretary, Selection Committee, Ward No. 07, Anganwadi Center No. 191, Panchyat - Kawaiya, P.O. - Jamuniya, P.S.- Ghorasahan, District - East Champaran, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s	:	Mr. Md. Raisul Haque (SC 10)

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

Date : 28-03-2022

Heard learned counsel for respective parties.

Learned State counsel accepts notice for respondent nos.

1 to 5. Service of notice to respondent nos. 6 & 7 stands dispensed since no adverse order is being passed in the present order.

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

“(i) To issue consequential writ of Certiorari to set aside the Selection Letter



dated 03.08.2019 (Annexure -3) whereby Respondent No.6 has been appointed on the post of Anganwadi Sevika despite ranking much lower than the Petitioner in the Merit List dated 03.08.2019 (Annexure-2) wherein, Petitioner has ranked first.

(ii) To issue Writ of Mandamus or any other appropriate writ order direction directing the Respondent No. 4 to expeditiously dispose Case No. 173/2019 filed by the Petitioner.

(iii) To issue consequential Writ of mandamus or any other appropriate Writ order direction directing the Respondents to appoint the Petitioner on the aforesaid post of Anganwadi Sevika in the Anganwadi Center No. 191, Panchayat-Kawaiya, P.O.-Jamuniya in Ward No. 07.”

The petitioner was non-suited for the post of Anganbari Sevika, thus, she has presented this petition. Petitioner has statutory remedy of appeal before the appellate authority. Therefore, the present petition is premature. Accordingly, present petition stands disposed off reserving liberty to the petitioner to prefer an appeal before the appellate authority within a period of eight weeks from the date of receipt of this order. The appellate authority is hereby directed to examine the petitioner's appeal and decide after providing an opportunity of hearing to respondents no. 6 & 7. The above exercise shall be completed within a period of four months from the date of receipt of petitioner's appeal.



With the aforesaid observations, the present petition
stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

