

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7843 of 2021

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Vibha Kumari @ Vibha Devi W/o Mantu Kumar Ray R/o Vill- Chakdeh,
P.O.- Banpura Bazar, P.S.- Janta Bazar, Block- Lahladpur, District- Saran-
841206

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme Social Welfare Department, Govt. of Bihar, Patna.
3. The Commissioner, Saran Division at Chapra.
4. The District Magistrate, Saran at Chapra.
5. The Deputy Development Commissioner, Saran, Chapra.
6. The District Programme Officer, Saran, Chapra.
7. The Child Development Project Officer, Lahladpur, Saran.
8. The Block Education Officer, Lahladpur cum Chairman, Aam-sabha, Kateya (Ward No.2), Lahladpur, Saran.
9. The Mukhiya, Panchayat Raj Kateya (Ward No.2), Lahladpur, Saran.
10. The Supervisor, Panchayat Raj, Kateya (Ward No.2), Lahladpur, Saran.
11. Suman Devi Wife of Binod Kumar Yadav R/o Vill- Chakdeh, P.O.- Banpura Bazar, P.S.- Janta Bazar, Block- Lahladpur, District- Saran- 841206.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary
For the Respondent/s : Mr. Lalit Kishore (Ag)

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

Date : 11-02-2022

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

2. State counsel accepts notice for respondent Nos. 1 to 10.



3. Service of notice to 11th respondent is dispensed since no adverse order is passed against her.

4. In the instant petition, petitioner has prayed for the following relief/reliefs:

“i. That Candidature of the Respondent no. 11 for the post of Aganbari Sevika under the Kateya Panchayat (Ward no.2) Lahladpur, Saran may kindly be quashed on the ground of the misrepresentation and fraud played by her during the course of the participation under the ongoing selection process.

ii. The Respondent-officials may kindly be directed to ensure selection of the petitioner for the post of Aganbari Sevika under the said selection process as the petitioner is bonafied claimant / runner up having second rank under the merit list so published in this regard and having rank one, upon rejection of the candidature so held by the Respondent no. 10 illegally.

iii. The Respondents alternatively may kindly be directed to expedite the proceeding, pending vide case no. 17/21, while extending educate opportunity of hearing based on material available on records, supported by the Rule of law and the procedure so prescribed in this regard.

iv. Till the final disposal of the case in hand the selection process above said may kindly be stayed in the interest of justice to avoid multiplicity of the litigation.

v. Any other relief or reliefs also may kindly be allowed to the petitioner for which She be found entitled in the opinion of this Hon'ble Court to ensure substantial justice.”

5. Petitioner has already invoked remedy of appeal before the Appellate Authority as is evident from Case No. 17 of 2021. In the light of these facts and circumstances, the Appellate Authority is hereby directed to decide petitioner's appeal/Case



No. 17 of 2021 within a period of three months from the date of receipt of this order after providing ample opportunity of hearing to the petitioner and 11th respondent – Suman Devi.

6. Accordingly, writ petition stands disposed off.

7. Any selection to the post of Anganwari Sevika is subject to outcome of appeal to be decided by the Appellate Authority.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

