

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9802 of 2021

=====

Hema Kumari @ Hema Devi wife of Sri Dharmendra Kumar Residence of village- Sirsa Khemkarn, P.o.- Saraybaks, Gram Panchayat Raj - Parsa, Block- Amnaur, Police Station- Bheldi, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Commissioner Saran at Chapra
3. The District Magistrate, Saran at Chapra
4. The District Programme Officer, District- Saran at Chapra
5. The District Welfare Officer, District- Saran at Chapra
6. The Block Bal Development Programme Officer, Amnaur, District- Saran at Chapra
7. The Block Development Officer, Amnaur, District- Saran at Chapra
8. The Panchayat Secretary, Gram Panchayat Raj Parsa, Post Office- Parsa, Block- Amnaur, District- Saran at Chapra
9. Milan Kumari Wife of Shrijay Kumar Residence of village- Sirsa Khemkarnbali and P.o.- Saraybakas, Gram Panchayat Raj- Parsa, Block- Amnaur, Police Station- Bheldi, District- Saran at Chapra

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

=====

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

Date : 08-03-2022

Heard learned counsel for respective parties.

Learned State counsel accepts notice for respondents no.

1 to 8.

Service of notice to respondent-Milan Kumari is dispensed since no adverse order is passed in the present petition against her.



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

“For issuance of a writ, order, direction particularly in nature of writ of Mandamus for appointment of the petitioner at the place of the Respondent no. 9 namely Milan Kumari is going to be appointed at ward no. 14 under category EBC under Gram Panchayat Raj Parsa under Block Amnour under District Saran as post of Anganbari Sevika by Respondent no. 4 Where by and where under the Respondent no. 4 has bala-bala reserve ward no. 14 for EBC category. The largest number of populationis Schedule caste according to voter list of Ward no. 14. The petitioner namely Hema Kumari is topper candidate of SC category according to merit list. It is further pray that directing to the authority concern to appointment of the petitioner as a post of Anganbari Sevika according to Guide line of departmental rule for appointment of post of Anganbari Sevika.

The petitioner and ninth respondent-Milan Kumari were candidates for the post of Anganbari Sevika of Ward No. 14 under Gram Panchayat Raj Parsa, Block Amnour, District-Saran. The petitioner is stated to be more merited than the ninth respondent, thus, petitioner has questioned the selection and appointment of the ninth respondent before the third respondent in filing appeal and such appeal is pending consideration.



In the light of these facts and circumstances, the third respondent is hereby directed to decide the petitioner's pending appeal after providing ample opportunity of hearing to the petitioner and ninth respondent-Milan Kumari, within a period of three months from the date of receipt of this order.

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

