

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9716 of 2021

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Sunita Kumari, W/o Abhay Shankar Singh, resident of Village and Post-Shivpur, Block-Kesath, Dist-Buxar.

... .. Petitioner/s

Versus

1. State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director, ICDS, Patna.
4. District Magistrate, Dist-Buxar.
5. The District Programme Officer (ICDS), Dist-Buxar.
6. The Child Development Project Officer, Block-Kesath, Dist-Buxar.
7. Block Develop Officer, Kesath, Dist-Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Shankar Choubey
For the Respondent/s : Mr.Lalit Kishore (Ag)

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

Date : 18-02-2022

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 7.

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

“i. For issuance of appropriate Writ/ Writs, Order/ Orders, Direction/ Directions in the nature of Writ of Mandamus directing and commanding the respondent authorities to select and appoint the



petitioner on the post of Aanganbari Sevika in Aanganbari Center Ward No. 10, Rampur Panchayat, Block-Kesath, Dist.-Buxar who after being the most suitable candidate in the merit list and after being figured at sl no. 1 in the merit list has not being selected and appointed on the same due to the error in the voter list caused by the respondent authorities as the petitioner is of resident of ward no. 10 while she has been wrongly figured in ward no. 9 and after repeated applications to rectify the same the respondent have not finalized the selection process of the Anganwadi Sevika.

ii. For issuance of writ of Mandamus directing and commanding the respondent authorities to rectify the name of the petitioner and add her name in ward no. 10 from ward no. 9.

iii. And for the other necessary relief/reliefs on the basis of the facts and circumstances of the case stated and enumerated hereinafter.”

4. The petitioner is a candidate for recruitment to the post of Aanganbari Sevika in Aanganbari Center, Ward No. 10, Rampur Panchayat, Block – Kesath, District – Buxar. Petitioner is stated to have stood at Serial No. 1 on merit. However, order of appointment has not been issued. In this regard, petitioner is stated to have submitted applications on 23.02.2021 and 25.02.2021 *vide* Annexure 5 and 5/a respectively.

5. The concerned selecting and appointing authority to the post Aanganbari Sevika is hereby directed to decide petitioner’s representation/application. If the petitioner is more merited and her selection is in accordance with law, in that event, necessary procedures in completion of selection and appointment be completed within a period of one month from the date of receipt



of this order, failing which, the petitioner is entitled to litigation cost and it is quantified @ of Rs. 10,000/-. If there are any hurdle in filling up of the post of Aanganbari Sevika for the aforesaid Center like any Rules would not permit the competent authority to proceed for the selection, in that event, necessary speaking order shall be passed and communicated to the petitioner within the aforesaid period.

6. With the above observation, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	23.02.2022
Transmission Date	

