

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17552 of 2014

Meera Kumari, wife of Shri Om Prakash Singh, resident of Village-
Madarichak, P.O. Atarsan, Via – Chainwa, Block & Police Station –
Daraunda, District -Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Social Welfare Department,
Government of Bihar, Patna.
2. The Director, I.C.D.S., Social Welfare Department, Govt. of Bihar,
Patna
3. The Divisional Commissioner, Saran Division at Chapra.
4. The District Magistrate, Siwan.
5. The District Programme Officer, Siwan.
6. The Child Development Project Officer, Daraunda, District -Siwan.
7. The Ward Member, Gram Panchayat Raj Bagaura, Block Daraunda,
District -Siwan.
8. The Mukhiya, Gram Panchayat Raj Bagaura, Block Daraunda,
District Siwan

..... Respondents

9. Puja Kumari Singh daughter of Umesh Singh wife of Akhilesh Kumar
Singh, resident of Village -Madarichak, P.O. Atarsan, Police Station –
Daraunda, District – Siwan.

..... Private Respondent

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr.Manoj Kr. Ambastha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-11-2022 The petitioner has prayed for the following relief/s :-

“i) For issuance of an appropriate
writ in the nature of mandamus for commanding
and directing the respondent authorities
concerned to select/appoint the petitioner on the
post of Anganbari Sevika at Anganbari Centre



No.17 Madarichak Kohar Toli, Gram Panchayat Raj Bagaura, Block Daraunda, District Siwan as the petitioner has been selected by the Aam Sabha on 30.08.2012, but till date appointment letter has not been provided to the petitioner.

ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to handover the selection letter to the petitioner for the post of Anganbari Sevika for Anganbari Centre No. 17 Madarichak Kohar Toli, Gram Panchayat Raj Bangaura, Block Daraunda, District Siwan as she fulfills all the criteria fixed by the department for selection of Anganbari Sevika.

iii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to send the petitioner for training of Anganbari Sevika as she has been selected for the aforesaid post by Aam Sabha meeting dated 30.08.2012, but till date, she has not been sent for training of Anganbari Sevika.

iv) For issuance of any other appropriate writ /writs, order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case.”

From the affidavit dated 03.02.2015, filed on behalf of respondent Nos. 4 to 6, we notice the following averments to



have been pleaded. Relevant paragraph 11 is quoted hereinbelow :-

“11. That in the light of said decision the SDO Cum Chairman Block Monitoring Committee has issued order memo no. 447 dated 06.08.2014. In the said meeting petitioner and the private respondent participated. The said committee examined the issue that the husband of private respondent was employed in Bihar police but in her application she has falsely stated farming as his occupation. On the other hand the petitioner's age was also considered and after due consideration her age, seemed to be doubtful. The Block Committee has noticed that the petitioner's signature on her application and her signature on attendance were different. Accordingly the Committee unanimously decided that neither the petitioner nor the private respondent possessed necessary qualification as provided in Aanganbari guideline 2011 and recommendation for fresh selection of Sevika has accordingly been made.”

At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such remedies, as are otherwise available, in accordance with law.

Permission granted.

Needless to add, as and when the petitioner takes



recourse to such remedy, the same shall be considered and decided expeditiously, in accordance with law.

The instant petition stands disposed of as withdrawn with the liberty aforesaid.

Interlocutory application, if any, stands disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Ashwini/Sujit

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