

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3026 of 2021

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Soni Kumari W/O - Pushkar Kumar R/O - Village - Milky Dumariya, P.O. -
Bhanghai, P.S. - Fulkana, Block - Narpatganj, Distt- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, ICDS, Bihar.
3. The District Magistrate, Araria
4. The District Programme Officer, Araria.
5. The Child Development Project Officer, Block - Narpatganj, Distt- Araria.
6. The lady Supervisor Cum Secretary, Selection Committee, CDPO Office,
Narpatganj, Distt- Araria.
7. Rupa Kumari W/O- Shatru jai Yadav, R/O - Vill - Dumaria, Ward BNo. - 09,
P.S. - Narpatganj, Distt- Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Respondent/s : Md. Raisul Haque, SC 10

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

Date : 29-01-2022

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

Service of notice to seventh respondent-Rupa Kumari is
dispensed with since no adverse order is passed in the present
petition.

In the instant petition, petitioner has prayed for the
following relief(s):-

*“(i) For quashing letter dated
13.11.2019 issued under signature of
Respondent no. 6 as contained in Annexure-
5 whereby the Respondent no. 7 has been
selected for the post of Anganwari Sevika*



for Ward no. 9 under Grampanchayat Bhagahi, Anganwari Centre Code No. 9073 because she has been selected on the basis of forged educational certificate and also prays for issuance of direction in the name of respondents to lodge FIR against the Respondent no. 6 who deliberately producing forged certificate for obtaining benefit of selection.

(ii) Further prays of issuance of a direction in the name of Respondents to issue Selection letter in her favour for the aforesaid centre.

(iii) For any other relief or reliefs for which the petitioner is entitled to.”

The petitioner has statutory remedy of appeal before the appellate authority in the light of Hon'ble Apex Court decision in the case of **State of Jammu and Kashmir Vs. R.K. Zalpuri and others** reported in **AIR 2016 Supreme Court 3006**, the present writ petition is premature.

Accordingly, the present writ petition stands disposed off reserving liberty to the petitioner to prefer an appeal before the appellate authority within a period of eight weeks. If such appeal is filed, the appellate authority is hereby directed to decide the appeal after giving due hearing of opportunity to the petitioner and seventh respondent. The above exercise shall be completed within a period of four months from the date of receipt of appeal. If the



petitioner has already filed appeal the same shall be taken note off
by the appellate authority.

(P. B. Bajanthri, J)

Vikash/-

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

