

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.403 of 2021

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Pramila Kumari Wife of Munnalal Bhagat, Resident of Village-Khoripakar,
Ward No.10, Panchayat-Bishunpur Kalyal, P.S. and Block-Sahebganj,
District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, Integrated Child Development Service, Bihar, Patna
4. The District Magistrate, Muzaffarpur. District-Muzaffarpur.
5. The District Programme Officer (ICDS), Muzaffarpur. District-Muzaffarpur.
6. The Child development Project Officer, Sahebganj, District-Muzaffarpur.
7. The Ladies Supervisor-cum-Member Secretary, Sahebganj Project, District-Muzaffarpur.
8. The Ward Member-Cum-Chairman, Selection Committee Ward No.10 of Bishunpur Kalyan Gram Panchayat, Block-Sahebganj, District-Muzaffarpur.
9. Priyanka Anjalani Wife of Santosh Kumar Resident of Vilalge-Khoripakar, Ward No.09, Panchayat-Bishunpur Kalyan, P.S. and Block-Sahebganj, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr. Md. Raisul Haque, SC-10

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 13-01-2022

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

2. State counsel accept notice for respondents. Service of notice to respondent no. 9 is dispensed since no adverse order is passed against her.



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

“(I) for issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent no. 6 to produce on record the proceeding of Aam Sabha of Ward No. 10 of Gram Panchayat Raj, Bishunpur dated 21.08.2019 in which the Respondent no. 9 has been selected as also the selection letter of the Respondent no. 9 as Aanganwari Sevika of Aanganwari Centre No. 274 situated under Ward No. 10 of Gram Panchayat Raj, Bishunpur Kaylan and on production the same may be quashed by issuance of an appropriate writ in the nature of **CERTIORARI** on the ground that the Respondent no. 9 is neither the elector nor the resident of Ward No. 10 for which the centre in question has been established rather she is resident of Ward No. 9 as also the name of the Respondent no. 9 is below in the merit list than the petitioner.

(II) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities to select the petitioner as Aanganwari Sevika of Aanganwari centre No. 274 situated under Ward No. 10 of Gram Panchayat Raj, Bishunpur Kalyan on the ground that the petitioner had better percentage of marks in her Matriculation Examination than the Respondent no. 9, therefore, her name was placed at serial no. 2 in the merit list whereas the name of the Respondent no. 9 was placed at serial no. 3 of the merit list.

(III) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ



petitioner would be found entitled under the facts and circumstances of the case.”

4. Petitioner is stated to have preferred appeal on 13.03.2020 and it is pending consideration.

5. Therefore, 5th respondent-appellate authority is hereby directed to consider the petitioner’s appeal and pass speaking order within a period of three months from the date of receipt of this order after giving due opportunity of hearing to respondent no. 9- Priyanka Anjalani and the petitioner.

6. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

