

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2275 of 2020

Bandana Kumari, wife of Chandan Kumar Yadav @ Chandan Kumar Chand,
Resident of village - Majhiawan, P.O. - Chechari, P.S.- Obra, District-
Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, ICDS, Bihar, Patna.
3. The Divisional commissioner, Magadh Division, Gaya.
4. The District Magistrate, Aurangabad.
5. The District Programme Officer, ICDS, Aurangabad.
6. The Child Development Programme Officer, Prakhand - Obra, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.
For the Respondent/s : Mr.Prasant Pratap (GP2)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner seeks quashing of order dated 10.10.2019 passed by the District Programme Officer, Aurangabad. The impugned order was passed in a proceedings instituted by the petitioner assailing the selection of one Geeta Kumari as Anganbari Sevika at Centre No. 250 of Panchayat Tejpura, wherein she claimed to be selected in place of Geeta Kumari. The DPO after cancelling the selection of Geeta Kumari has directed the concerned Child Development Project



Officer to take steps for selection afresh.

3. The Court would find that the petitioner has remedy under the 2019 guidelines issued by the ICDS Directorate, for assailing the order of the District Programme Officer, ICDS, Aurangabad (Respondent No.5) dated 10/10/2019, as contained in Annexure-5 to the writ petition, before the Respondent No.3. Without availing such remedy, the petitioner has approached this Court assailing the order of the District Programme Officer, wherein, disputed issues of fact involving rights of Geeta Kumari, who was earlier selected and whose selection has been cancelled. The said Geeta Kumari has not even been impleaded by the petitioner as a party respondent in the instant proceedings.

4. The writ application is, therefore, dismissed, but with liberty to the petitioner to avail remedy under the 2019 guidelines, issued by the ICDS Directorate, before the Respondent No.3

(Madhuresh Prasad, J)

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