

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1973 of 2023

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Khushbu Kumari W/o Anil Yadav, R/o Village- Bara and Panchayat-
Gajadharpur, P.S.- Tankuppa, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare Bihar, Patna.
2. The Director Integrated Child Development Services, Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Gaya.
5. The District Programme Officer, (I.C.D.S.), Gaya.
6. The Child Development Project Officer, Tankuppa, Gaya.
7. The Lady Supervisor, Tankuppa, Gaya.
8. Ampy Kumari W/o Vinod Kumar, R/o village- Bara and Panchayat-
Gajadharpur, P.S.- Tankuppa, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Subodh Kumar Barnwal, Advocate
For the State	:	Mr.Md. Raisul Haque (SC10) with Md.Obaidullah AC to SC 10

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs:-

*“(i) To issue an appropriate
order/s, direction/s including a writ
preferably in the nature of CERTIORARI
for quashing the order as contained in
Memo No. 291 dated 22-09-2020 in
Appeal Case No. 06/2019 passed by the
Child Development Project Officer,
Tankuppa, Gaya. whereby and where
under she has order passed to lodge the*



F.I.R. against the petitioner under appropriate sections of I.P.C. because she has committed forgery in selection of Anganbari Sewika ofr the Centre No. 125 situated at Village- Bara, Panchayat-Gajadharpur, Ward No.-07, P.S.-Tankuppa, District- Gaya as well as also directed to Respondent No. 7 to issue appointment letter to private respondent no.8.

(ii) To direct respondents to continue the petitioner henceforth with to the post of Anganbri Sewika for the concerned Anganbari centre and allowed her to resume duty.

(iii) To any other relief/s to which the petitioner may found entitled in the facts and circumstances of the case.”

3. Being the third empanelled candidate, the petitioner was selected as *Aanganwari Sevika* by Annexure-1 dated 21.11.2019.

4. It is submitted that the respondent no. 8 filed a complaint and the same was considered by the Child Development Project Officer (for brevity ‘C.D.P.O’), Tankuppa, Gaya in Aanganwari Appeal Case No. 6 of 2019. The C.D.P.O has directed for issuing selection letter to one Ampi Kumari (respondent no.8). The C.D.P.O has also directed the lady supervisor to ensure institution of FIR against the candidates, who indulged in forgery, including the petitioner. The order of the C.D.P.O dated 22.09.2020, (Annexure-2) to this effect has been assailed by the petitioner by way of the instant writ



proceedings filed in 2023.

5. The petitioner has belatedly invoked the writ jurisdiction of this Court, that also without availing the remedy under the extant guidelines before the Competent Authority. This Court, therefore, is not inclined to exercise its extraordinary, discretionary writ jurisdiction in favour of the petitioner.

6. Writ petition is dismissed.

(Madhuresh Prasad, J)

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