

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3149 of 2023

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Hari Kishor Rajak Son of Suresh Rajak, Resident of Village and P.O.-
Kumarpur, Ward No. 4, Block and P.S.-Fullidumar, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department,
Government of Bihar, Patna.
2. The Director, Integrated Child Development Service, Social Welfare
Department, Government of Bihar, Patna.
3. The District Magistrate, Banka.
4. The District Program Officer, District- Banka.
5. The Child Development Project Officer, District- Banka.
6. Puja Kumari, W/o Phulo Das, Village and P.O.-Kumarpur, Harijan Tola,
P.S.-Fullidumar, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raunak Kr. Singh, Adv.

For the Respondent/s : Mr. S.K. Mandal (SC3)

Mr. Bipin Kumar AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ application has been filed seeking a
direction upon the respondent authorities to inquire into
irregularities/illegalities allegedly committed; and
misappropriation of public money in paying the remuneration to



the Respondent No.6 for discharging her duties as *Anganwari Sevika*. It is alleged that the Respondent No.6 was appointed, ignoring the guidelines for selection. Several irregularities have been alleged by the petitioner against the Respondent No.6. It is apparent from the pleadings in the writ petition that earlier also the petitioner approached this Court, but by way of a PIL. The earlier writ petition bearing CWJC No. 8048/2022 was dismissed by judgment dated 24-06-2022, relevant extract of which, reads as follows:-

“The appointment and conditions of service of Anganbari Sahaika has been laid down in the guidelines issued by the State Government in which provision has been made for their selection as well as removal by appointing authority, if any complaint is made against her appointment, as such, present petition is not maintainable being dispute in respect of service matter and is, accordingly, dismissed.

However, it shall always be open for the petitioner to take recourse to such other remedies which are otherwise available to him in law.”

3. Instead of availing the remedy, as per guidelines, referred by the Division Bench, in the order dated 24-06-2022 passed on the petitioner's PIL, as contained in Annexure-6 to the writ petition, he again has filed a writ petition.

4. This Court, therefore, is not inclined to entertain the writ petition, which has been filed ignoring the observations



passed by the Division Bench for the petitioner to take recourse
to other remedies, as per the order, extracted above.

5. The writ petition is dismissed.

(Madhuresh Prasad, J)

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