

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3451 of 2023

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Rita Kumari Wife of Suraj Kumar @ Suraj Kumar Sahni, Resident of village -
Lodipur, P.S. Mahnar, Dist. Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Social Welfare Department, Bihar, Patna.
2. The Director, Integrated Child Development Services, Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division Muzaffarpur.
4. The Collector cum District Magistrate, Vaishali at Hajipur.
5. The District Programme Officer, Integrated Child Development Services, Vaishali at Hajipur.
6. The Child Development Project Officer, Mahnar, Vaishali.
7. Veena Devi, Wife of Chandra Bhushan Prasad Singh, Resident of village - Lodipur, P.O. - Basudevpur, P.S. - Mahnar, Dist. - Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the State : Ms. Kumari Amrita (GP 3)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner was selected as Aanganwadi Sevika for Anganbari Centre No. 142, situated in Ward No-9 of Basudeopur Gram Panchayat under Mahnar Block in the District of Vaishali. The selection has been held to be not in accordance with the guidelines and canceled by the learned Collector, Vaishali (Respondent No.4) vide order dated 03-12-2022 passed in Aanganwadi Appeal Case No. 1 of



2020/45/20-21.

3. It is not in dispute that the Directorate of Integrated Child Development Services (ICDS) has issued guidelines for selection of Aanganwadi Sevika/Sahayika, wherein, the remedy of revision has been provided against the order of the District Programme Officer before the Divisional Commissioner.

4. The Divisional Commissioner being an authority higher than the District Magistrate, and since the issues raised by the petitioner are disputed issue of fact, this Court is of the opinion that petitioner may move before the Divisional Commissioner wherein, all disputed issues being raised in the instant proceedings can be considered. There is no occasion for this court to exercise its extra ordinary writ jurisdiction under Article 226 of the Constitution of India.

5. Writ application is dismissed with liberty.

(Madhuresh Prasad, J)

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