

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16420 of 2014

Sanjan Kumari Wife of Sri Binod Kumar Yadav resident of village - Phorsahi Tola, Gram Panchayat Raj, Badwa, P.S. - Mahishi, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Director, I.C.D.S. Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The District Programme Officer, Saharsa.
5. The Child Development Project Officer, Mahishi, District- Saharsa.
6. The Mukhiya, Gram Panchayat Raj, Badhwa, Anchal- Mahishi, District- Saharsa.
7. The Panchayat Secretary, Gram Panchayat Raj, Badhwa, Anchal - Mahishi, District- Saharsa.
8. Rekha Devi wife of Krishna Mohan Yadav resident of village- Phorsahi Tola, Gram Panchayat Raj, Badhwa, Anchal and P.S.- Mahishi, District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra, Advocate
For the State	:	Mr.Amit Bhushan, AC to GP-17

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-07-2023 The present writ petition has been filed seeking the following reliefs:-

“1.i) A Certiorari setting aside the order dated 28.07.2014 passed in Anganwari Appeal Case No. 16/09-10 by the Respondent District Magistrate in the light of direction of this Hon'ble Court, whereby and whereunder the Respondents concerned has in a very eye-washing, casual mechanical and illegal manner rejected the appeal of the petitioner on nonest grounds without application of judicial minds



and only reiterating the grounds of Respondent District Programme Officer and other subordinate authorities.

ii) A further Certiorari setting aside the order bearing Memo No.10-2 dated 7.9.2009, issued under the signature of respondent District Programme Officer, Saharsa whereby and wherunder the selection of the petitioner on the post of Anganwari Sevika of Phorsahi Tola centre has illegally been cancelled on the complaint made by Private Respondent on the nonest ground as on the basis of proceeding of Aam Sabha of the concerned Gram Panchayat, the selection letter has been issued under the signature of competent authority i.e. C.D.P.O. but subsequently due to extraneous consideration the proceeding Book of Aam Sabha has been kept by Respondent Mukhia though the custodian of the Proceeding Book is Respondent Panchayat Secretary and with a view to frustrate the valid claim of the petitioner on the ground that father-in-law of petitioner is Panch of the said gram Katchahri, though in guidelines issued by Respondent State in prohibition criteria 'Panch' is not mentioned.

iii) A mandamus commanding and directing the Respondents concerned to appoint the petitioner on the post of Angnwari Sevika at Phorsahi centre of Gram Panchayat Raj-Baghwa, Block-Mahishi, District-Saharsa by removing the Private Respondent.”



At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of her aforesaid grievances. Liberty so sought is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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