

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7698 of 2023

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Anjlee Kumari Wife of Ganesh Sah Resident of Village-Lakshminiya, P.O.-Chhajana, Ward no. 12, P.S.-Narhia O.P., Block-Ghoghardiha, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director-ICDS, Social Welfare Department, Bihar, Patna.
3. The District Program Officer, ICDS, Madhubani.
4. The Child Development Project Officer, Ghoghardiha, Madhubani.
5. The District Magistrate, Madhubani.
6. The Sub-Division Officer, Phulparas, District-Madhubani.
7. The Supervisor (Paryavekshika), ICDS, Ghoghardiha.
8. The Chairperson of Ward no.-12, Panchayat-Parsa Dakshini (Lakshminiya), Block-Ghoghardiha, District-Madhubani.
9. Rekha Kumari Wife of Sri Shrawan Ram Resident of Village-Lakshminiya, P.O.-Chhajana, Ward no.12, P.S.-Narhia O.P., Block-Ghoghardiha, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate
For the Respondent/s : Mr.Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-12-2023 The present writ petition has been filed
seeking the following reliefs:-

"1. (i). For a direction on the respondents particularly respondent District Magistrate, Madhubani for disposal of the pending Appeal Petition dated 06.12.22 of the petitioner filed under Rule-13 of the Angan Bari Sevika Selection Rule, 2016 under the Integrated Child Development



Program.

(ii). For a further direction on the respondents against their arbitral action by which they have cancelled the existing panel dated 8.8.18 all of sudden on 7.6.22, while conveying 4th meeting of Aam-sabha and have created a new panel during course of the day without publishing it, so that applicant may have opportunity of objection on the newly created panel in accordance with law and further Rekha Kumari (Resp. no.9) has been selected & appointed with 48 % of marks, who was earlier figured at Sl. no;-3 under the panel dated 8.8.18, the case of petitioner with 65% of marks has been ignored stating therein that now the majority group of area belongs to the Schedule Caste, which was earlier never notified while issuing advertisement in June, 2018, but simply applications were sought from the OBC & SC category, hence it is prayed that the selection process/ proceeding dated 7.6.22 is fit to be set aside by the Hon'ble Court on the ground of this arbitrariness, in addition to this under rule of selection it has been provided that after 2nd unsuccessful selection attempt preference will be given to the 1st



candidate of the panel. "

2. The learned counsel for the petitioner has limited his prayer to issuance of a direction to the District Magistrate, Madhubani for disposing off the pending appeal filed by the petitioner on 06.12.2022 against the order dated 07.06.2022 passed by the Child Development Programme Officer, Ghoghardiha, District-Madhubani.

3. Having regard to the limited prayer made by the petitioner in the present case, I deem it fit and proper to direct the District Magistrate, Madhubani to dispose off the aforesaid appeal, stated to have been filed by the petitioner, in case the same has been filed and is still pending, by passing a reasoned and a speaking order, in accordance with law, within a period of six weeks of receipt/production of a copy of this order.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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