

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.284 of 2023

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Smt. Kanti Devi Wife of Ranvijay Choudhary, Resident of Village and Post-Salaha, Ward No.3, P.S. Deshari, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, I.C.D.S., Bihar, Patna.
3. The District Magistrate, Vaishali.
4. The District Programme Officer (I.C.D.S.), Vaishali, Distt. Vaishali.
5. The Child Development Project Officer, Sahdei Bujurg, Distt. Vaishali.
6. The Lady Supervisor, Sahdei Bujurg, Block Sahdei Bujurg, Distt. Vaishali.
7. Smt. Binita Kumari Wife of Rupesh Kumar, Resident of Village- Dubaha, P.S.- Deshari, Block Sahdei Bujurg, Distt. Vaishali.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Nilesh Kumar, Advocate Mr. Vasant Vikas, Advocate
For the Respondent/s	:	Mr. Lale S.N. Rais, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner in the present case is seeking following
reliefs:-

“(i) For issuance of an order, direction and writ in the nature of certiorari to quash the order contained in memo no. 2261 dated 10.11.2022 passed by the District Programme Officer (I.C.D.S.) Vaishali whereby an application/appeal preferred by the petitioner against the selection of respondent no. 7 who was selected as Anganbari Sevika bearing center code no. 117, under ward no. 3, village Salaha, Block Sahdei Bujurg has been rejected.

(ii) For issuance of an order/direction to the respondent to cancel the selection of



respondent no. 7 and select/appoint the petitioner as Anganbari Sevika of Center Code No. 117 under Sahadei Bujurg Project.

(iii) For issuance of any other relief/reliefs as your Lordships may deem fit and proper as per the facts and circumstances of the case.”

This Court has been informed that the order dated 10.11.2022 passed by the District Programme Officer (ICDS), Vaishali is appealable before the Commissioner, Tirhut Division. The petitioner has not availed the remedy available to her.

In the given facts and circumstance, this writ application is being disposed of without going into the merit of the case but by granting liberty to the petitioner to file an appropriate application/appeal before the Commissioner, Tirhut Division against the impugned order within a period of 30 days from today.

If any such appeal/application is filed before the Commissioner, Tirhut Division within the stipulated period, the same shall be considered on its own merit and a reasoned order thereon shall be passed within a period of three months from the date of filing of the application/appeal after giving appropriate opportunity of hearing to the parties.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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