

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20197 of 2018

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Muskan Parvin W/o Naim Ansari Resident of Vill- Donaiya , Post- Fatehpur,
District- Gaya- 824232

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme, ICDS, Directorate,Bihar.
3. The District Magistrate, Gaya.
4. The District Program Officer, Gaya.
5. The Child Development Project Officer, Fatehpur, Gaya.
6. Nuraisha Khatoon wife of Md. Mustak Ansari(Son of Md. Ismail), Resident of House of No. 56, P.O. Saur Manjgawa, Block and P.S. Sirdala, District.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manisha Singh, Adv.
	:	Ms. Roona, Adv.
For the State	:	Mr. Md.Raisul Haque -SC- 10
	:	Mr. Binay Kumar, Adv.
For the Private Respondent	:	Mr. Dharmendra Kr. Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-09-2024 Heard Learned Counsel for the petitioner, Learned Counsel for the State and Learned Counsel for the Private Respondent.

2. The writ petition has been filed for the following relief/s:-

“(i) For quashing of order dated 26.07.2018 passed by District Programme Officer, Gaya in Anganbari Case No. 58/2017 as contained in Annexure- 5 whereby the



selection / appointment of the Private Respondent as Anganbari Sevika of Anganbari Centre Donaiya(3), Centre Code No. 217, Ward No. 11, Block Fatehpur, Gaya has been upheld and in result the Anganbari Case filed by the Petitioner before District Programme Officer, Gaya stood dismissed vide impugned order.

(ii) For declaration that the selection of the Private Respondent made on the basis of her being a permanent resident of Donaiya to be bad and contrary to the guidelines as after the marriage she became Bahu of another district i.e. Saraikela, Nawada where her husband and in-laws have been living permanently and their name figure in the voter list of that place.

(iii) For declaration of the order impugned to be erroneous as the appointment of the Private Respondent was based on her being a permanent resident of Village-Donaiya of which she was a resident before her marriage.

(iv) Any other order/orders for which the Petitioner is found entitled to in the facts and



circumstances of the present case.”

3. Learned Counsel for the State raised preliminary objection and submits that the statutory remedies to the petitioner lies before the Original Authority to challenge the same under the relevant Margdarsika for appointment of Anganwari Sevika and Sahayika.

4. In response thereof, Learned Counsel for the petitioner submits that the petitioner has filed appeal bearing Anganbari Appeal No. 19 of 2018 before the District Magistrate, Gaya in which no decision has been taken till date.

5. In the light of the submissions made, the present writ petition stands disposed off directing the District Magistrate, Gaya, to pass final order on the appeal filed by the petitioner bearing Anganbari Appeal No. 19 of 2018 within 90 days from the date of receipt/production of a copy of this order (if not disposed off till date).

(Dr. Anshuman, J.)

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