

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20312 of 2018

Gunja Kumari Wife of Ratish Kumar Gupta D/o of Rambilash Gupta Resident
of Village-Ratansar, Ward No.5, P.O. Gwalpara, P.S. Block-Chhatapur, Distt.-
Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Department of Welfare,
Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme I.C.D.S., Bihar, Patna
3. The Commissioner, Koshi Division, Saharsa
4. The District Programme Officer-cum District Magistrate-cum-District
Collector, Supaul
5. The District Programme Officer I.C.D.S., Supaul
6. The Child Development Project Officer C.D.P.O., Block-Chhatapur, Distt.-
Supaul
7. The Selection Committee of Anganbari Sevika for Ward No.5, Village-
Ratansara, Gram Panchayat-Gwalpara

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Adv.
For the Respondent/s	:	Mr. S.K. Mandal- SC-3
		Mr. Arjun Prasad, AC to SC-3

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-09-2024 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

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

*“(i) To issue a writ in the
nature of certiorari setting aside
paragraph-2 of letter dated 25.8.2018
contained in Memo No.2132 issued by
District Officer, Supaul, directing that
Anganbari centres wherein selection
could not be made in spite of holding
of Aam Sabha in two occasions in*



terms of guideline, 2016, their de-novo selection would be made in compliance of letter dated 12.7.2018 contained in letter No.2949 issued by the Director, I.C.D.S., Bihar, Patna and also Memo No.2949 dated 12.7.2018 (Annexure-7) issued by the Director, I.C.D.S., Bihar, Patna wherein he was please to direct to hold de-novo selection after fresh advertisement wherein difficulty is coming in selection in pursuance to previous advertisement.

(ii) To issue a writ in the nature of mandamus commanding/directing the Respondents to complete selection process in pursuance to advertisement dated 17.2.2018, if the Chairman-cum-Ward Member and Vice Chairman-cum- Ward Panch does not turn-up for selection then to proceed in terms of amended notification dated 25.5.2018 contained in letter No.2222 (Annexure- 6) issued by Principal Secretary of Welfare Department, Govt. of Bihar, Patna wherein it has been prescribes that District Programme Officer will fix the date and selection committee would be



*chaired by the Sub-Divisional Officer
or Deputy Collector of Land Reforms.*

*(iii) And/or any other relief
or reliefs which this Hon'ble Court
may deem fit and proper in the facts
and circumstances of this case.”*

3. After some argument, Learned Counsel for the petitioner submits that liberty may be granted to him to challenge the same before the appropriate authority under the relevant guidelines prepared for appointment of Anganbari Sevika or Sahaiyka.

4. Learned Counsel for the State submits that the petitioner has moved directly before this Hon'ble Court without challenging the appointment before the authority framed under the relevant guidelines prepared for appointment of Anganbari Sevika or Sahaiyka.

5. Accordingly, the writ petition stands disposed off granting liberty to the petitioner to avail the remedy available under the relevant guidelines prepared for appointment of Anganbari Sevika or Sahaiyka, if cause of action still survives.

(Dr. Anshuman, J.)

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