

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3924 of 2020

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Rekha Kumari W/o Sri Jitendra Kumar, R/o Village-Lakhni Madhuban, P.S.-
Pipra, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, Integrated Child Development Scheme, Social Welfare Department, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. The District Programme Officer, East Champaran, Motihari.
5. The Child Development Project Officer, Chakia, District-East Champaran.
6. The Lady Supervisor, Child Development Chakia, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Ms. Shalu Sinha, Adv.
For the State	:	Mr. Prashant Pratap (GP-2) Mr. Asit Kumar Jha (AC to GP-2)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 20-04-2024 Heard learned counsel for the petitioner namely, Ms.

Shalu Sinha, Advocate and learned counsel for the State.

2. The present writ petition has been filed for directing the respondent to implement the selection letter dated 03.01.2019 to the petitioner as *Anganwadi Sevika* (annexed as Annexure-5) and further direction has been made to provide the necessary training course and the petitioner be allowed to join on the said post.

3. Learned counsel for the State submits that counter affidavit has been filed and the appointment of the petitioner by



virtue of letter dated 03.01.2019 is no more in force and selection was cancelled *vide* letter dated 27.01.2020 (annexed as Annexure-D) and as such, counsel for the State submits that the case of the petitioner becomes infructuous and the petitioner's case ought to be dismissed.

4. In the light of the submissions made by the parties, it transpires to this Court that the said selection process was made in the light of *Anganwadi* Rule 2016 under which Rule 13 categorically states that, if anyone is aggrieved from the order passed by the DPO then there is remedy to prefer the appeal within 30 days before the District Magistrate.

5. As such, the petitioner has only liberty to prefer the appeal before the District Magistrate.

6. It is made clear that the District Magistrate shall entertain the appeal and delay if any in filing the appeal is hereby directed to be condoned.

7. Accordingly, this writ petition is hereby disposed off.

(Dr. Anshuman, J)

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