

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14052 of 2018

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Pinki Kumari Wife of Ajay Kumar, Resident of Village and Post- Shyama,
Ward No.10, Circle- Gwalpada, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Directorate of Social Welfare, Social Welfare Department,
Government of Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The District Magistrate, Madhepura.
5. The Sanjeeta Kumari, Wife of Mahendra Prasad Yadav, Resident of Village-
Shyama, Ward No.10, Circle- Gwalpada, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Adv.
	:	Mr.Shikhar Mani, Adv.
	:	Mr.Rajnish Prakash, Adv.
For the Respondent/s	:	Mr.Gyan Prakash Ojha -Ga7

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 13-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Counsel for the petitioner submits that the present
writ application has been filed with the following reliefs:-

*(i) For setting aside the order dated
24.03.2017, passed by District Magistrate,
Madhepura, in Aanganbari Appeal No. 05 of 2016,
whereby, the petitioner appointment, on the post of
Aanganbari Sevika was set aside in exercise of
appellate jurisdiction which is disgorge of rule /
guideline 2011.*



ii. For setting aside the consequential order dated 03.01.2018, contained in D.B. No. 102 dated 30.01.2018, passed by District Programme Officer, Madhepura in Aanganbari Case No. 9 of 2017 whereby the selection of Sanjeeta Devi on the post of Aanganbari Sevika has been found correct.

iii. For further direction to the Respondent District Magistrate, Madhubani, to sue motto decide the matter strictly in accordance with Clause 10.1, 10.2, 10.3 and 10.4 of the Guideline 2011, and appoint the petitioner on the post of Aanganbari Sevika, Peer Nagar Panchayat, Ward No. 10, Circle- Gwalpada, Madhepura.

3. Counsel for the State raised preliminary objection and submits that the petitioner has challenged the appellate order dated 24.03.2017 passed by the District Magistrate in Anganwari Appeal No.05 of 2016 as well as the consequential order dated 03.01.2018 passed by the D.P.O. in Anganwari Case No.9 of 2017.

4. Counsel for the State further submits that the remedy against the petitioner for challenging the order passed by the D.P.O., is further in appeal according to the relevant guidelines for appointment of Anganbari Sevika/Sahaika.

5. Counsel further submits that liberty may be granted to prefer appeal before the District Magistrate, Madhepura.

6. In this view of the matter, the present writ petition



is hereby disposed off, directing the petitioner to avail remedy of appeal before the District Magistrate, Madhepura and the District Magistrate, Madhepura is directed to entertain the appeal filed by the petitioner.

7. Delay, if any in filing the appeal, is hereby directed to be condoned.

8. With the aforesaid directions, the present writ application stands disposed off.

(Dr. Anshuman, J.)

Prakashmani/-

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