

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 20281 of 2018

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Sima Kumari Wife of Pramod Kumar, Resident of Village-Jaganbagi, PO-Kariyadpur, Panchayat-Jagarnathpur, Ward No.6, PS-Fatehpur, District-Gaya.
... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Panchayati Raj Department, Government of Bihar, Patna.
3. The Commissioner, Magadh Pramandal, Gaya.
4. The District Magistrate, Gaya.
5. The District Programme Officer, Gaya.
6. The Child Development Project Officer, Tankuppa, District-Gaya.
7. Sarita Kumari, Wife of Satish Kumar, Resident of Village-Jaganbagi, PO-Kariyadpur, Panchayat-Jagarnathpur, PS-Fatehpur, District-Gaya.
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinu Kumar, Adv.
Mr. Ritika Rani, Adv.
For the Respondent/s : Mr. Sunil Kumar Mandal, S.C.- 3
Mr. Arjun Prasad, A.C. to S.C.- 3

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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 quashing the order contained in Memo No. 1126 of 2018 passed by the District Programme Officer, Gaya in Anganbari Case No. 212 of 2018 as contained in Annexure- 3 by which selection of the petitioner to the post of Anganbari Sevika has been cancelled. The petitioner has further prayed to allow her to function as Anganbari Sevika in Ward No. 6 and direct the District Magistrate, Gaya to dispose off the appeal filed by the petitioner



on 18.07.2018 against the order dated 21.06.2018.

3. Learned Counsel for the State raised preliminary objection and submits that the petitioner has challenged the order passed by District Magistrate, Gaya against which the appeal lies as per the statute.

4. In response thereof, Learned Counsel for the petitioner submits that the appeal has been filed vide Annexure-4 on which no order has been passed.

5. Upon perusal of Annexure- 4 of the writ petition, it transpires to this Court that it is not a memo of appeal rather it is an application.

6. In this view of matter, the writ petition is disposed off directing the petitioner to avail the remedy by way of filing appeal under the relevant Margdarsika for appointment of Anganbari Sevika and Sahayika within 30 days from today.

7. It is directed to the Appellate Authority, in case petitioner prefers appeal within 30 days from today, then the delay in filing the appeal shall be condoned.

(Dr. Anshuman, J.)

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