

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5680 of 2023

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Runa Kumari D/o Rama Kant Paswan Resident of Village Aranda, P.S. Obra,
District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector-Cum-District Magistrate, Aurangabad
3. The Additional Collector-cum-Additional district Magistrate, Aurangabad.
4. The District Programme Officer, Aurangabad
5. The Child Development Project Officer Obra, Aurangabad
6. Usha Kumari S/o Late Rajeshwar Paswan, Wife of Sharnkar Paswan
Resident of village Aranda, P.S. Obra, District Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar, Advocate
For the Respondent/s : Mr.Prashant Pratap (Gp2)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-11-2024 Heard Mr. Ajit Ranjan Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Prashant Pratap,

learned GP 2 for the State.

2. Petitioner has *inter alia* prayed for following reliefs

in the paragraphs No.1 of the writ petition:-

*“1. That this writ application is being
filed (I) for quashing the order dated 27.09.2022
passed in Aananbari Sevika/Sahayika Chayan
appeal No.01 of 2020/641 of 2019 by Additional
Collector-cum-Additional District Magistrate,
Aurangabad communicated vide Memo
No.4064/dated 30.09.2022, whereby and
whereunder appeal case filed by appellant Usha
Kumari has been rejected on the ground that the
educational certificates (transfer certificate) of both
the parties appears to be doubtful, in absence of
verification. By the aforesaid order the Opposite
Party (the petitioner herein), selected Sahayika has*



been terminated.

ii) This writ application is also being filed for commanding the respondents to consider the case of petitioner for her selection to the post of Aaganbari Sahayika in Ward No. 7 Gram Panchayat Uab District Aurangabad and further allow her to discharge her duty to her respective post.

iii) This writ application is also being filed for commanding the respondents not to interfere in peaceful discharging of duty by the petitioner to her respective post of Aaganbari Sahayika in Ward No. 7, Gram Panchayat Uab, District Aurangabad.

(iv) This writ application is also being filed for holding that the impugned order dated 27.09.2022 circulated vide Memo No. 4064 dated 27.09. 2022 issued under the signature of Additional Collector-Cum-Additional District Magistrate, Aurangabad to the extent of petitioner as contained in Annexure-1 is illegal, arbitrary and without any lawful justification.”

3. Considering the relief as sought for in the present writ petition, and in view of the law laid down by the Apex Court in the case of **State of Karnataka & Others vs Ameerbi and others**, reported in **(2007) 11 SCC 681**, this Court is not inclined to grant relief to the petitioner. However, the petitioner may avail appropriate remedy before the competent Civil Court in accordance with the provision of guidelines, for the relief as sought for in the present writ petition.

4. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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