

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11835 of 2013

=====

Nisha Kumari Wife of Sri Rajesh Kumar Resident of Sarshi Bazar Panchayat
Majhua Premraj, P.S. Sarshi Banmanki District Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Department of Social Welfare, Government of Bihar, Old Secretariat, Patna
3. The Director Integrated Child Development Scheme Indira Bhawan East Boring Canal Road, Patna
4. The Divisional Commissioner, Purnia Division, Purnia
5. The District Magistrate, Purnia
6. The District Programme Officer Purnea
7. The Child Development Project Officer, Baisi, Purnia
8. Shobha Kumari W/o Nawal Kishore Gupta resident of Sarshi Bazar Panchayat Majhua, Premraj, P.S.- Sarshi, Banmankhi, District- Purnea

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Amit Kumar Anand, Advocate.
For the State	:	Mr. Tripurari Nath Ambastha, AC to SC-26.
For Respondent No.8	:	Mr. N. K. Agrawal, Sr. Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

23 09-08-2024

Heard Mr. Amit Kumar Anand, learned counsel appearing on behalf of the petitioner; Mr. Tripurari Nath Ambastha, learned AC to SC-26 for the State and Mr. N. K. Agrawal, learned senior counsel for the respondent no.8.

2. 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 in respect of selection of Anganwari Sevika for the year 2007. 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.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner will avail remedy before the competent Civil Court having jurisdiction within a period of four weeks.

4. Considering the submission made on behalf of the petitioner, the petitioner shall not be disturbed from the present post till she files injunction petition before the learned District Court well within a period of four weeks from today.

5. It is expected of the District Court to hear the injunction petition on the same day on merits in accordance with law so that the parties may not be prejudiced in any manner. The interim relief granted to the petitioner shall remain operative for a period of four weeks only from the date of communication of this order so that the Injunction Petition may be finally disposed of within the said time.

6. With above observation and direction, the writ petition stands disposed of.



7. The Office is directed to forthwith communicate the order to the learned District Court, Purnia for taking necessary steps soon after the petitioner files Suit and Injunction Petition within the aforesaid period.

(Purnendu Singh, J)

mantreshwar/-

U			
---	--	--	--

