

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12322 of 2019

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Preeti Kumari W/o Shailendra Kumar Vill.- Baildih, P.s.- Roh, Distt.- Nawada
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Bihar, Patna
 2. The Director Integrated Child Development Scheme, Bihar, Patna
 3. The District Magistrate Nawada
 4. The District Programme Officer (I.C.D.S.), Nawada
 5. The District Welfare Officer Nawada
 6. The Child Development Project Officer Roh, Nawada
 7. Kumari Geeta W/o Shailendra Kumar Vill.- Baildih, P.s.- Roh, distt.- Nawada
- Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arjun Prasad, Adv.
	:	Mr.Man Mohan Kumar, Adv.
For the Respondent/s	:	Mr.Md.Raisul Haque (SC10)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 30-09-2024 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed for quashing the proposal No.2 to 7 of Aam Sabha dated 01.02.2019 pertaining to selection of Aganwari Sevika/Sahayika for Centre Code No.160, Ward No.03 situated in Village- Panchayat Bailadih, Block- Roh, District- Nawada and further seeking direction to the respondent to appoint the petitioner on the said post.

3. Learned Counsel for the State submits that the basic prayer made by the petitioner is to remove the Private Respondent No.7 from her post and appoint the petitioner on the said post.



4. Learned Counsel further submits that a counter-affidavit has been filed in this case. From the counter-affidavit, it transpires that certificate of the private respondent is genuine. In addition to that he raised preliminary objection and submits that firstly, the petitioner has challenged the appointment of private respondent directly before this Hon'ble Court by way of representation before the Child Development Programme Officer, and then, directly before this Hon'ble Court.

5. Upon hearing the parties, it transpires to this Court that under the relevant guidelines for appointment of Anganbari Sevika / Sahaika, the remedy avail to the aggrieved persons, is directly before the Competent Authority, but instead thereof, the present petitioner has filed this writ petition before this Hon'ble Court. As such, the present writ petition is hereby disposed off directing the petitioner to avail her remedy before the appropriate Authority under the relevant guidelines for appointment of Anganbari Sevika / Sahaika within 30 days from today, if cause of action still survives.

6. With the aforesaid direction, the present writ application stands disposed off.

(Dr. Anshuman, J.)

Prakashmani/-

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