

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7059 of 2018

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Rubi Kumari Wife of Ajay Kumar Chaudhary, Resident of Village- Telar, P.S.-
Chandradeep, Dist.- Jamui.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Director, I.C.D.S. Bihar, Patna.
3. The Divisional Commissioner, Munger Division, Munger.
4. The District Magistrate, Jamui.
5. The District Programme Officer, Jamui.
6. The Child Development Project Officer, Block- Islam Nagar, Alamganj, Dist.- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.
For the Respondent/s : Mr. Md. Raisul Haque SC-10

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-04-2024 Learned counsel for the petitioner and counsel for the

State present.

2. The present writ petition has been filed for quashing the order dated 13.12.2017/23.12.2017 passed by the Divisional Commissioner, Munger in Service Appeal No. 11/2017 (annexed as Annexure-7/1) and further for affirming the selection of the petitioner on the post of *Anganbari Sevika* at *Anganbari* Center No.125 and the petitioner be permitted to discharge her duties on the post of *Anganbari Sevika*.

3. Learned counsel for the petitioner submits that the



order passed by the Divisional Commissioner, Munger is in violation of the guidelines. Counsel further submits that the direction of Divisional Commissioner, Munger for fresh selection is absolutely bad in law and the petitioner may be permitted to be continue on the said post.

4. Learned counsel for the State on the other hand submits that there is no illegality passed in the order passed by the Divisional Commissioner, Munger which is impugned in the writ petition. Counsel further submits that Divisional Commissioner, Munger has categorically reached on the finding that the Child Development Project Officer (CDPO) has made selection violating the guidelines and it is due to this reason, the litigation has been started and hence, direction for fresh appointment has been made.

5. Upon hearing the parties and perusal of the operative part of the order passed by the Divisional Commissioner, Munger, this Court reached on the conclusion that there is no illegality in the order and this order is well speaking and reasoned. The Commissioner has not made stigma against any of the parties, rather, raised objection on the selection process, made by the CDPO itself and it is due to this reason, it has rightly been decided to made selection of



Anganbari Sevika afresh.

6. In this view of the matter, this Court is not inclined to interfere in the matter, and accordingly, this writ petition is hereby dismissed.

(Dr. Anshuman, J.)

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