

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14499 of 2021

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Usha Jha Wife of Mrityunjay Kumar Jha, Resident of Village - Bangaon,
Ward No. 11, Bangaon, Dakshin Gram Panchayat, Block - Kahra, P.S. -
Bangaon, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Additional Chief Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Director, I.C.D.S., Department of Social Welfare, Government of Bihar, Patna.
3. The Divisional Commissioner, Koshi Division, Saharsa.
4. The District Magistrate, Saharsa.
5. The District Programme Officer, I.C.D.S., Saharsa.
6. The Child Development Project Officer (C.D.P.O.), Kahra Gramin (Rural), Block - Kahra, District - Saharsa.
7. Sapna Kumari, Wife of Rupesh Kumar Jha, Resident of Village - Bangaon, Ward No. 13, Bangaon Dakshin Gram Panchayat, Block - Kahra, P.S. - Bangaon, District - Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Mukul, Adv.
For the Respondent/s : Mr.Prashant Pratap (GP-2)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.i) A certiorari setting aside the order passed by the learned Collector-cum-District Magistrate, Saharsa dated 15.04.2021 in Anganwari Appeal Case No.16/2016, whereby and where-under the Respondent concerned has in a very arbitrary and contemptuous manner rejected the appeal of the petitioner on very whimsical and frivolous grounds completely overturning the facts of the case which makes the impugned order very suspicious, unjust and having no



legal leg to stand upon.
ii) A Mandamus commanding and directing the Respondent concerned to appoint the petitioner on the post of Anganwari Sevika at centre No.32 Rambagh Sanokhari Bangla under Ward No.11 of Gram Panchayat Raj-Bangaon South of Kahra Block Project, as the petitioner has been the only eligible candidate in all criteria as would be evident from records of the case, but in a very suspicious, dishonest and arbitrary manner the Respondent District Magistrate has relied upon a false report of Revenue Karmachari and ordered to appoint the Private Respondent on the said post, whereas she has never raised objection upon earlier appointment of Ritu Prabhakar, but now by illegal means she is trying to get appointment from backdoor.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the learned Civil Court having competent jurisdiction for redressal of her aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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