

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15760 of 2021

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Madhuri Gupta, Wife of Akshay Kumar Gupta, Resident of Ramjanki Niwas
East Chitragupt Nagar, Kankarbagh Behind Janki Apartment, P.S.-Patrakar
Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Directorate of Social Welfare, Social Welfare Department, Government of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Patna.
5. The District Programme Officer, Patna.
6. The Circle Officer, Patna Sadar, Patna.
7. The Child Development Project Officer, Patna Sadar-3, Patna.
8. The Lady Supervisor, CDPO Office, Patna Sadar-3, Patna.
9. Upasna Kumari, Wife of Raj Kumar, Resident of Village-Ward No. 45, Hanuman Nagar, P.S.-Patrakar Nagar, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Advocate
For the State	:	Ms.Kumari Amrita (Gp3)
For Resp. No.9	:	Mr.D.K. Sinha, Sr. Advocate
		Mr.Abhinav Raj, Advocate
		Mr.Alexander Ashok, Advocate
		Ms.Akansha Malviya, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) For setting aside the order dated
01.03.2021, passed by the District
Magistrate, Patna in Aanganbari Appeal
No. 02/2015-16, whereby the appeal filed
by Upasna Kumari has been allowed and*



a direction has been issued to appoint Upasna Kumari on the post of Sevika in Centre No. 165, Ward No. 45, Hanuman Nagar, Patna without even issuance of notice to the petitioner who was already holding the post of Sevika on the same centre and ward and as such the entire order is nullity for violation of principal of natural justice which has caused serious prejudice to the interest of the petitioner.

(ii) The petitioner further prays for setting aside consequential order as contained in Memo No. 169 dated 17.06.2021 issued by the CDPO, Patna Sadar - 3, Patna, whereby petitioner's appointment / selection on the post of Aanganbari Sevika, Centre-Hanumannagar, Code No.- 165 has been cancelled.

(iii) The petitioner further prays that after setting aside aforementioned two orders she may be reinstated on the post of Aanganbari Sevika, Centre-Hanumannagar, Code No.- 165 forthwith with al consequential benefit.”

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 civil 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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