

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15986 of 2021

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Soni Kumari wife of Santosh Kumar @ Santosh Kumar Das resident of
Village Simari, P.O. Maigra, P.S. Dumariya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Social Welfare Department, Bihar, Patna.
2. The Deputy Director, Social Welfare Department, Magadh Division, Gaya.
3. The Assistant Director, I.C.D.S. Directorate, Bihar, Patna.
4. The District Magistrate, Gaya.
5. The District Programme Officer (I.C.D.S.), Gaya.
6. The Child Development Project Officer, Dumariya, District Gaya.
7. The Lady Supervisor, Office of Child Development Project Officer, Dumariya, District Gaya.
8. Tara Kumari W/o Surendra Paswan resident of Village Simari, P.O. Maigra, P.S. Dumariya, District Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Javed Jafar Khan, Advocate
For the Respondent/s	:	Mr.S.K. Mandal (SC-3)
		Mr. Arjun Prasad, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1.That this is an application for
issuance of an appropriate writ,
order or direction, particularly in the
nature of writ of Certiorari;*

*i) For quashing the order of District
Programme Officer, Gaya
(Respondent No. 5) contained in
memo no. 304 dated 16.02.2019*



passed in Anganwadi Case No. 274/2018 (Smt. Tara Kumari, Saloni Kumari Vs. Soni Kumari & Others), whereby and whereunder the District Programme Officer, Gaya held that the selection of petitioner Soni Kumari on the post of Anganwari Sevika for the Anganwadi Centre-Pipradih/129, Ward No. 05 is found illegal and further directed the C.D.P.O., Dumariya to hand over the selection letter to Smt. Tara Kumari (Respondent No.8) within a week in place of the petitioner.

ii) For quashing of the order of District Magistrate, Gaya (Respondent No. 4) dated 22.01.2021 passed in Anganwadi Appeal Case No. 45/19 (Soni Kumari Vs. Tara Kumari & Others) by which the appeal filed by the petitioner has been dismissed and order dated 16.02.2019 passed by the District Programme Officer, Gaya has been affirmed.

Further, a writ of Mandamus be issued;

i) For direction to the respondent



authorities to restore the service of the petitioner on its original place with all cumulative benefits.

ii) For direction to the respondent authorities to refrain the respondent no. 8 to get her salary/Mandey till the disposal of the present writ petition, as because, the respondent no.8 is not entitled to get the selection for the said post.”

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 Ld. Civil Court having competent jurisdiction, for redressal of the aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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