

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11118 of 2024

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Rani Kumari wife of Brahmdeo Shah Resident of Hatwariya Ward No. 15,
P.S. Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna
3. The Director, Social Welfare Department, Government of Bihar, Patna
4. The Collector, Madhubani, District- Madhubani
5. The District Welfare Officer, Madhubani, District- Madhubani
6. The District Programme Officer, Madhubani District- Madhubani
7. The Child Development Project Officer, Harlakhi District Madhubani
8. The Mukhiya, Gram Panchayat Raj Naharnia, District Madhubani.
9. The Secretary, Gram Panchayat Raj Nahrana District Madhubani
10. Bindu Kumari, wife of Uday Kant Jha, Resident of village Hatwariya, P.S Harlakhi District- Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate
For the Respondent/s : Government Pleader (24)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed with the
following reliefs:-

(i) For issuance of an appropriate
writ, order, direction to quash the part of the
common order dated 23.12.2023 passed by
Collector, Madhubani, in Anganwadi Appeal



No. 53 of 2023 and Anganwadi Appeal No. 61 of 2023 so far the direction for taking fresh process for selection and employment on the post of Anganwadi Sevika of centre No. 166, Ward No. 15, Gram Panchayat Raj Nahrana, District- Madhubani has been given.

(ii) For issuance of an appropriate writ, order direction to issue employment letter in favour of petitioner for the post of Anganwadi Sevika of Centre No. 166, Ward No. 15, Gram Panchayat Raj Naharana, District- Madhubani in pursuance of the vacancy and applications invited.

(iii) For issuance of an appropriate writ, order, direction that petitioner being the member of E.B.C. category and the centre is of majority of E.B.C. members, hence petitioner would have been issued employment letter and direction for fresh process was not required.

(iv) For that during the period of



process of employment on the post of Anganwadi Sevika, the petitioner was the applicant having highest merit amongst the applicants of E.B.C. and she is the member belonging to highest population of the E.B.C. member and petitioner should have been issued employment letter.

3. Learned counsel for the petitioner submits that Mapping Panji was already prepared then only selection of the petitioner had been made. He submits that private respondent has not challenged the said selection process, the said Mapping Panji, therefore it is valid one. This aspect has not been taken into consideration by the appellate authority, which is impugned order (Annexure-6) and, therefore the order passed by the District Magistrate is bad in law.

4. Learned Counsel for the State submits that the order passed by the District Magistrate is unique order, in which two Anganwadi appeals have been heard together. One appeal was preferred by the petitioner and another appeal was preferred by the respondent. Either side had not challenged the Mapping Panji and in result two Mapping Panji have been prepared.

5. Upon hearing the parties, it transpires to this Court



that the appellate authority Collector, Madhubani, has rightly pointed out that both the Mapping Panji had not been prepared following the rules prescribed and none of the persons either petitioner or respondent has challenged the Mapping Panji of each other. Therefore, this Court is of the opinion that District Magistrate has taken appropriate decision that a fresh Mapping Panji shall be prepared and accordingly, the appointment/selection process shall be made.

6. Hence, this Court is of the firm view that there is no need of any interference in this matter. Accordingly, this writ petition is dismissed.

(Dr. Anshuman, J.)

Mkr./Aman/-

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