

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18191 of 2021

Pratima Kumari @ Pratima Devi W/o Sri Ramvilas Das, R/o Village Fedali
Bigha, Post Maldah, P.S. Barbigha, Dist. Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, State of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, State of Bihar, Patna. Email id- Secysw-bih@nic-in.
3. The District Magistrate, Sheikhpura, District Sheikhpura 811105, Email dm-sheikhpura.bih@nic.in
4. The District Programme Officer, District Sheikhpura Email id Sheikhpuradpro@gmail.com
5. The Child Development Programme Officer (C.D.P.O), Block Barbigha, At Barbigha, Dist. - Sheikhpura.
6. The Lady Supervisor, Child Development Programme, Office, Barbigha, At Barbigha, Dist. - Sheikhpura.
7. Smt. Preeti Kumari, The and then Lady Supervisor, Child Development Programme, Office, Barbigha, At Barbigha, Dist. - Sheikhpura.
8. Rupkali Kumari @ Rupkali Devi, W/o Dilip Paswan, R/o Village - Nagdih, Post Maldah, P.S. Barbigha, District - Sheikhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate
For the Respondent/s : Mr.Md. Raisul Haqie (SC-10)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-02-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1. i. For issuing show cause to the
Respondent No 3. 4 & 5 as to why
the office concerned had not
registered a complaint case (1st
Complaint Letter dated 24/07/2014)
under the Rule 10 of Recruitment of*



Anganwadi Sevika and Sahayika Guideline, 2011 filed by the petitioner, duly received by the Respondent No. 4 and persuaded till the date by the petitioner against arbitrary and illegal selection of Private Respondent No. 8 (Appointment Letter vide Memo No. 258 dated 08/08/2014) for the post of Sevika at newly constituted Anganwadi Centre No. 130, Fedali Bigha under Maldah Gram Panchayat in place of the petitioner by the Respondents No. 4, 5 & 6 by holding two Aam-Sabha dated 26/12/2013 & 06/02/2014 and more specifically in the light of the Cognizance Order dated 10/04/2019 U/Ss 166/34 of the IPC in Criminal Complaint Case No. 39C/2017 passed by the court of Ld. J. M. 1 Class Sheikhpura against the colorable action of Respondent No. 7 and one accused Sri Kamta Prasad (the & then clerk of the office of Respondent No. 5).

ii. For direction of registering and disposal of complaint case under Rule 10 of Recruitment of



Anganwadi Sevika and Sahayika Guideline, 2011 OR under updated provision/s of the Guideline, 2019 on the basis of already filed Complaint Letter dated 24/07/2014, filed by the petitioner to the Respondent No. 4 and waiving of the limitation period under the Rule in the light of persuading complaints/representations till date to the concerned Respondents Authorities and also in the light of pending criminal case bearing Criminal Complaint Case No. 39C/2017 against the raised disputed selection process in the court of Ld. J.M. 1st Class, Sheikhpura.

iii. For direction to the respondents no. 4, 5 & 6 to take into account the procedural disputed fact that after successfully conducting of first Aam Sabha dated 26.12.2013 and then arbitrarily without due permission or against the established law, conducted the second Aam Sabha dated 06/02/2014.

iv. That direction to the Respondents No. 4, 5 & 6 to take



into account all violative provisions of Rule 2 (Ka), Rule 4.2, Rule 4.5, Rule 5.2. Rule 5.4, Rule 5.6, Rule 7.3, Rule 8.5, Rule 8.12 and Rule 8.17 of the Anganwadi Sevika and Sahayika Guideline. 2011 vis-à-vis 2nd illegal Aam Sabha dated 06/02/2014 and considering the candidature of the petitioner per Merit List, vide Memo No. 369 dated 12/09/2013 or as in accordance with law.”

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, 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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