

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12755 of 2023

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Renu Kumari Wife of Mtrituanjay Kumar, resident of Village-Barrarhi Bazar,
Ward No. 03, Gram Panchayat-Madanpur, P.S.-Madhepura, District-
Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Govt. 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, Madhepura.
5. The District Programme Officer, I.C.D.S., Madhepura.
6. The Sub-Divisional Officer, Madhepura.
7. The Child Development Project Officer (C.D.P.O.), Madhepura.
8. The Lady Supervisor, C.D.P.O. Office, Block and District-Madhepura.
9. Isha Kumari, Wife of Ranjay Kumar, resident of Village-Bharahi Bazar, Ward No. 03, Gram Panchayat Raj-Madanpur, P.S. and District-Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Respondent/s : Smt. Kumari Amrita (Gp3)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-01-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) A certiorari setting aside the order
dated 08.06.2023 passed by the
Respondent Divisional Commissioner,
Koshi Division, Saharsa in Anganwari
Revision Case No. 62/2020 filed on
behalf of the petitioner against the illegal
order of Respondent District Programme
Officer (I.C.D.S.), Madhepura dated*



18.07.2020 passed in Anganwari Case No. 06/2020; whereby and whereunder the learned Revisional authority has in a very casual, mechanical, illegal and suspicious manner rejected the revision of the petitioner heavily relying upon a very wrong, illegal and without jurisdiction report of Halka Karmchari regarding residence of the petitioner out of beneficiary area, which very much goes to show that the Revisional authority has passed its order without application of his independent judicial mind which has no legal leg to stand upon.

(ii) A further certiorari also setting aside the order dated 18.07.2020 passed in Anganwari Case No. 06/2020 by the Respondent District Programme Officer filed by this petitioner against the selection and appointment of Private Respondent No.10 at the Anganwari centre in question in place of this petitioner despite the admitted fact that the petitioner having 66.28% of marks stands at Sl. No.1 in merit list and at Sl. No.131 of mapping Panji, while the Private Respondent has placed at Sl. No.2 in merit list below this petitioner with 65% marks only.



(iii) A Mandamus commanding and directing the Respondents concerned to appoint the petitioner as Anganwari Sevika at extra Anganwari Centre No. 250 under Ward No.3, village- Bharrahi Bazar, Gram Panchayat Raj- Madanpur, Anchal + P.S. + District-Madhepura by cancelling appointment and removing the Private Respondent selected and appointed in a very illegal and dishonest manner despite the petitioner being eligible in all aspect and being higher in merit list than the Private Respondent.”

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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