

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12693 of 2024

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Sabita Kumari W/o Janardan Kumar, resident of Village- Birauli Khurd, Ward No. 1, P.O.- Birauli RI, Police Station- Pusa, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Addl. Chief Secretary, Social Welfare Department, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Programme Officer, I.C.D.S., Samastipur.
5. The Child Development Project Officer, Pusa, Samastipur.
6. Ekta Kumari, W/o Santosh Kumar, resident of Village- Birauli Khurd, P.O.- Birauli RI, Police Station- Pusa, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Adv.
For the Respondent/s : Mr. Government Pleader 6

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2024 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed for quashing the order contained in Memo No.987 dated 29.06.2024 (annexed as Annexure-P/3) passed by the District Programme Officer, ICDS, Samastipur by which the petitioner's case was not considered and respondent no.6 has been selected on the post of Anganwadi Sevika, Center No.148, Panchayat Thahra-Gopalpur, Ward No.1, Block- Pusa, District- Samastipur. Further prayer has been made for directing the respondents to re-instate the petitioner on the post of Anganwadi Sevika,



Center No.148, Panchayat Thahra- Gopalpur, Ward No.1,
Block- Pusa, District- Samastipur.

3. Learned counsel for the State raised preliminary objection and submits that under the relevant margdarshika for appointment of Anganwadi Sevika and Sahayika, the order impugned in the writ petition is appealable and as such remedy lies to the petitioner by way of filing the appeal but, instead thereof, the petitioner has challenged this order directly before this Hon'ble Court.

4. In this view of the matter, the present writ petition stands disposed off directing the petitioner to avail the remedy by way of filing the appeal before the appropriate forum within 30 days.

5. The Appellate Authority is directed to condone the delay if, appeal filed within 30 days.

(Dr. Anshuman, J)

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