

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12848 of 2023

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Bibha Kumari Wife of Sri Anil Rajak, resident of village- Naya Tola,
Basantpur, P.O. Barkagaon, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Muzaffarpur, District - Muzaffarpur.
5. The District Programme Officer (ICDS), Muzaffarpur, District - Muzaffarpur.
6. The Child Development Project Officer, Marwan, District - Muzaffarpur.
7. Smt. Raushan Khatoon, Wife of Md. Raffiuddin, resident of village- Naya Tola, Basantpur, P.O. Barkagaon, District - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Awnish Kumar, Adv.
For the Respondent/s : Mr.Md. Raisul Haque (SC-10)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(1) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 24.02.2023 passed by the Respondent no.4 in Aanganwari Case No.66 of 2018-19 (Bibha Kumari Vs. Raushan Khatoon and others) whereby and where under the Respondent no.4 was pleased to reject the appeal filed by the petitioner against the order dated 27.06.2018 passed by the Respondent no.5 and issued under his memo no.1018 dated 27.06.2018.



(II) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 27.06.2018 passed by the Respondent no.5 and issued under his memo no.1018 dated 27.06.2018, whereby and where under the Respondent no.5 was pleased to cancel the selection of the petitioner Aanganwari Sevika of Centre No.139 as an of Gram Panchayat Raj, Barkagaon North on the ground that:-

(a) The application of applicants available on record does not bear the signature of any competent authority.

(b) The signature of Lady Supervisor is not recorded on the Mapping Register and there is overwriting which creates doubt.

(c) According to 2016 Guidelines issued by the Department, the responsibility of mapping has been fixed on Lady Supervisor which has not been complied with whom the main dispute is regarding the category of Centre.

(d) The proceeding book does not contain the signature of Member Secretary (Lady Supervisor) whereas merit list has been signed by the Lady Supervisor only where it should have been signed by the Chairman of Selection Committee.

(III) Consequent upon quashing of aforesaid two orders passed by the Respondent nos. 4 and 5, this Hon'ble Court may direct the Respondent nos. 4, 5 and 6 for reinstatement of the petitioner to the post of Aanganwari Sevika of centre No.139 falling in



Ward No.8 of Gram Panchayat Raj, Barkagaon North and to pay her honorarium from the date of termination of her selection till the date of her reinstatement for which the petitioner would have been entitled had her selection would not have been illegally cancelled by the Respondent nos. 4 and 5.”

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 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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