

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13572 of 2023

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Najnin Khatoon @ Najnin Kausar W/o Md. Faiyaz Alam, R/o Village -
Khalwa Khap, Ward no. 2. Dubey Tola, P.S. Nautan, Dist.-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Social Welfare Govt. of Bihar, Patna -15.
2. The Divisional Commissioner, Tirhut Range, Muzaffarpur.
3. The District Magistrate, West Champaran, at Bettiah.
4. The District Program Officer, West Champaran at Bettiah.
5. The Child Development Project Officer, Nautan, West Champaran.
6. Fatma Khatoon, W/o Yunush Ansari, R/o Village- Khalwa Khap, Ward no. 2, P.S.- Nautan, Dist.- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Akhileshwar Kumar Shrivastva, Advocate
For the State	:	Mr.Sunil Kumar Mandal (Sc 3)
		Mrs. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-03-2024 The present writ petition has been filed
seeking the following relief:-

"1 (i). For issuance of an appropriate writ / or writs, direction or directions, order/ or orders, in the nature of certiorari for quashing the order dated 20.07.2023 passed in I.C.D.C. App. case no. 137/2022, passed by the resp. no.2 (as contained in Ann-15), whereunder and whereby the resp. no. 2, has illegally and perversely set-aside the order dated 18.5.22, passed by the resp. no. 4, in case no.8/2019 (as contained in Ann./4.), by which after



considering the entire facts, circumstances and legal proposition in the light of documentary evidences placed by the parties, rejected the claim of resp. no.6, on the post of Sevika at Anganwadi Centre no. 182 situated in gram panchayat raj East Nautan, Ward no. 2, and hold that appointment/selection of the petitioner over the said post is legal and valid.

ii. For issuance of an appropriate writ / or writs, order/or orders, direction / or directions in the nature of mandamus commanding and directing to the state respondents to re-insistent to the petitioner on the said post as after completion of entire process as per the govt guidelines, she was selected by the Aam Sabha held by the Gram Panchayat on the said post and she was costing her duty since her date of appointment on the said post.

iii. For a declaration that removal of petitioner on the said post, on the basis of illegal and non-est ground is patently illegal and suffer from mala-fide by the hands of concern respondents and not justified in the eye of law.

iv. For issuance of an appropriate order / or orders, direction / or directions, directing the respondents concern to not take any further step(s) in the light of order passed by the



resp. no. 2 (as contained in Ann P.15), for appointment of resp. no. 6 on the said post on the place of petitioner."

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 of competent jurisdiction. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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