

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13912 of 2023

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Beauty Kumari Wife of Pappu Kumar, Resident of Village-Khajwati, Post-Koshila, Police Station.-Magadh Vishwavidyalaya, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya, Bihar.
4. The District Magistrate, Gaya, Bihar.
5. The District Programme Officer (ICDS), Gaya, Bihar.
6. The Child Development Project Officer, Gaya, Bihar.
7. The Lady Supervisor, Panchayat- Atiya, Block- Bodh Gaya, District- Gaya.
8. Suman Gupta, Wife of - Viru Gupta, Resident of Village- Khajwati, Post-Koshila, P.S-Magadh Vishwavidyalaya, District-Gaya, Bihar,

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Om Prakash Singh, Advocate
		Mr. Jagjit Roshan, Advocate
For the State	:	Mr.Md. Raisul Haque (Sc10)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-03-2024 The present writ petition has been filed seeking the following reliefs:-

"1. Issuance of writ or writs in the nature of Certiorari for setting aside the order dated 03.08.2023 passed by the Divisional Commissioner, Magadh Division, Gaya in Anganbari Revisional Appeal No.43 of 2022, whereby the Divisional Commissioner dismissed the appellate order passed by the District Magistrate, Gaya in Anganbari Appeal



case No.01 of 2018 without having Jurisdiction under the guideline issued for selection of Anganbari Sevika And Sahayika 2016 and also on the ground that the divisional Commissioner has not applied his Judicial mind.

II. Issuance of writ in the nature of mandamus commanding the respondents to reinstate the petitioner on the post of Anganbari Sevika on the ground that she is legally appointed on the said post in the light of final order dated 30.12.2021 passed by the District Magistrate, Gaya, in Anganbari Appeal case No.01 of 2018.

III. Issuance of further direction to stay the Order dt. 17.08.2023 issued by the Child Development Project Officer, Gaya (Respondent No.-6) vide memo no.-420, Bodh Gaya, dated 17.08.2023. The said letter has been issued in the light of order passed in Revisional Appeal No.43 of 2022, till the disposal of this writ petition. "

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 disposed off as not pressed.

(Mohit Kumar Shah, J)

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