

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21349 of 2021

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Khushbuda Khatun W/o Md. Niyaj, R/o Village-Maldah, Gram Panchayat Raj, Surha Basantpur, Ward No. 11, P.S.-Basantpur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Bihar, Patna.
2. The Director Integrated Child Development Services, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Programme Officer, (I.C.D.S.), Samastipur.
5. The Child Development Project Officer, Hasanpur, District-Samastipur.
6. The Lady Supervisor, CDPO Project-Hasanpur, District-Samastipur.
7. Ruksana Khatun, W/o Mustafa, Resident of Village-Maldah, Gram Panchayatraj-Surha Basantpur, Ward No. 11, P.S.-Hasanpur, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Respondent/s : Mr.Prashant Pratap (Gp2)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-04-2024 The present writ petition has been filed seeking the following relief:-

“(1) To issue an appropriate order/s, direction/s including a writ preferably in the nature of Mandamus commanding and directing upon the Respondent No. 6 to appoint the petitioner to the post of Anganbari Sevika in the newly created Anganbari centre situated in Ward No.-01, Centre No. 239 of Village- Surha Basantpur within P.O. and P.S.- Hasanpur, District- Samastipur on the ground that the private Respondent has wrongly and illegally appointed against the said post irrespective of



fact that the petitioner's name figures at serial No. 1 at the merit list. Whereas the private respondent name figures at serial No. 1 for the post of Sahayika in the merit list.

(II) To direct the respondent No. 1 and 2 to conduct an enquiry and take suitable legal action against the Respondent No. 6 and 7 as to how in complete violation of guidelines of Anganbari Sevika/ Sahayika appointed and consider the selection of private respondent for the post in question.”

2. At the outset, the learned counsel for the petitioner seeks a limited direction upon the appellate authority, i.e. the District Magistrate, Samastipur to dispose off the appeal, filed by her bearing Aganwari Appeal No.490 of 2019.

3. The learned counsel for the respondent-State submits that in case the aforesaid appeal is still pending, the same would definitely be disposed off, within a fixed time frame.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the District Magistrate, Samastipur to dispose off the aforesaid appeal, in case the same has not yet been disposed off, by passing a reasoned and a speaking order, in accordance with law, within a period of six weeks of receipt/production of a copy of this order.



5. The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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