

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14059 of 2023

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Sugyanti Devi Wife of Santosh Ram Resident of Village Laiya Tola, Ward No. 01, P.O. Pipra Pakri, P.S. Muffasil Bettiah, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreart, Social Welfare Department, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, West Champaran, Bettiah.
4. The District Welfare Officer, West Champaran, Bettiah.
5. The District Programme Officer (ICDS), West Champaran, Bettiah.
6. The Child Development Project Officer, West Champaran, Bettiah.
7. The Mukhiya, Ahnaram Jharia Panchayat, West Champaran, Bettiah.
8. The Panchayat Secretary, Ahbar Jharia Panchayat, West Champaran, Bettiah.
9. Sanju Kumari Wife of Nawal Kishore Ram Resident of Village-Abhar Manjharia, Ward No.1, Block Bettiah, District-West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
For the Respondent/s : Mr. Mirtyunjay Kumar, AC to GP-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-04-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). to quash the order dated 23.05.2023 passed by the Commissioner, Tirhut Division, Muzaffarpur in I.C.D.S. Revision Case No. 116/2022, affirmed the order dated 22.04.2022 passed by the District Programme Officer, West Champaran, Bettiah in Case No. 35/2019.

(ii). to quash the order dated 22.04.2022 passed by the District Programme Officer, West Champaran, Bettiah in Case No. 35/2019 denied



to appoint/promote the petitioner on the post of Anganbari Sevika from the post of Anganbari Sahaiyka and claim of the petitioner to get 10% bonus marks has been refused and setting aside the order of C.D.P.O., Bettiah dated 05.12.2019 passed in Case No. 02/2019, by which the petitioner was selected for the post of Anganwari Sevika as per the decision has been taken in Aam Sabha held on dated 12.09.2019 by allotted 10% bonus marks to the petitioner in the light of Guideline 2019 of I.C.D.S. and appointment of Sanju Kumari (Respondent No. 9) has been cancelled.

(B)(i). To hold the order dated 23.05.2023 & 22.04.2022 (Annexure: P/1 & P/3 are non-est in the eye of law.

(ii). To direct the respondents to appoint the petitioner on the post of Anganbari Sevika for the Anganbari Centre Ahbar Jharia (Code No. 133) under Gram Panchayat Ahbar Jharia, District-West Champaran, by adding weightage marks of 10% as bonus marks to the petitioner in place of respondent no. 9.

(iii). To stay the order dated 22.04.22 against the recovery of Mandey from the petitioner passed by the District Programme Office, West Champaran Bettiah till disposal of the present writ application.”

2. After some arguments, 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 suit before the learned Civil Court having competent jurisdiction. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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