

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6313 of 2018

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Sandhaya Kumari W/o Pramod Paswan R/o Loknath Purganj, Andar Nagar Panchayat, Ward No. 12, Dalsingsarai, P.S. Dalsingsarai, District - Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. District Magistrate, Samastipur.
3. District Programme Officer, Samastipur.
4. Child Development Programme Officer, Dalsingsarai.
5. Pinki Kumari W/o Kumar Dharamveer R/o Loknathpurganj, Nagar Panchayat, P.S. Dalsingsarai, District - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Piyush Anand, Adv. Mr. Sanjay Kumar, Adv.
For the Respondent No. 5 :		Mr. Uma Shankar Singh, Sr. Adv. Mr. Dilip Kumar Roy, Adv.
For the State	:	Mr. Sunil Kumar Mandal, SC-3 Ms. Neelam Kumari, (AC to SC-3)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 28-02-2024 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the private respondent no. 5.

2. Pleadings of this case has already been completed.

3. The present writ petition has been filed for quashing the selection of respondent no. 5 as *Anganbari Sevika* and proceeding of selection dated 30.12.2015 in the light of Departmental Letter No. 3201 dated 07.08.2015, as well as Letter No. 828 dated 26.12.2015 of S.D.O., Dalsingsarai.

4. Learned counsel for the State raised preliminary objection and submits that the selection process has been completed. He further submits that the petitioner has filed the writ petition directly before the Hon'ble High Court without challenging the appointment of respondent no. 5 on the post of *Anganbari Sevika*, whereas according to the *Margdarshika*, 2011, the appeal has to be preferred before the District Programme Officer, Samastipur.

5. As such, the present writ petition is hereby disposed of directing the petitioner to take liberty before the District Programme Officer, Samastipur and thereafter in accordance with the said *Margdarshika*, 2011, it is directed that if delay in filing the application if any before the respective authority, shall be condoned and the authorities shall decide the matter within 90 days from the date of appearance of all concerned.

(Dr. Anshuman, J.)

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