

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16536 of 2022

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Shila Kumari W/o-Deeplal Paswan Resident of Village-Kafen Latif, Ward No.10, Anganwari Centre No. 25, P.S.-Bochahan, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Director Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director, Department of Social Welfare Govt. of Bihar, Patna.
3. The District Magistrate Muzaffarpur, District-Muzaffarpur.
4. The District Programme Officer, Muzaffarpur, District-Muzaffarpur.
5. The Block Development Officer, Bochahan, District-Muzaffarpur.
6. The Child Development Programme Officer Bochahan, District-Muzaffarpur.
7. The Ladies Supervisor-Cum-Member Secretary Selection Committee Gram Panchayat Raj Kafen Chaudhary, Block-Bochahan, District-Muzaffarpur.
8. Bibha Kumari W/o-Ramesh Kumar Sahani R/o-Village-Kafen Latif, Ward No.10, Anganwari Centre No. 205, P.S.-Bochahan, District-Muzaffarpur Presently appointed as Anganwari Sevika for Center No.205.
9. The Ward Councilor, Ward No.10, Anganwari Centre No. 205, Under Gram Panchayat Raj Kafen Chaudhary, Block-Bochahan, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Adv.
For the Respondent/s : Mr.S.K. Mandal (SC-3)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(i) For issuance of an appropriate writ in the nature of mandamus for a direction to the respondents to produce the appointment letter of respondent no. 08 and after production of appointment letter of respondent no. 08 the same



may be quashed after issuance of writ of certiorari because the appointment made by the appointing authority is in teeth of law laid down by the Hon'ble Supreme Court by which it has held that after commencement of process no any change can be made but contrary to the law laid down by the Hon'ble Apex Court after completion of entire procedure for selection of Aanganwari Sevika to a schedule caste candidate in view of advertisement a candidate (Respondent No.08) belonging from EBC category has been appointed.

(ii) For issuance of an appropriate writ in this nature of Mandamus commanding and directing the respondents to appoint the petitioner as Aanganwari Sevika in view of advertisement as well as merit list as she is the bonafide candidate belonging from schedule caste for which the advertisement was made and entire process was done in view of law laid down by the Hon'ble High Court in C.W.J.C No. 8566 of 2020 order dated 22.11.2021.”

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 suit before the learned Civil Court having competent jurisdiction for redressal of her aforesaid grievances. Liberty so sought is granted.



3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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