

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15460 of 2023

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Veena Kumari Wife of Sri Birendra sah Resident of Vilage-Bhutane, Ward No.3, P.O. Chaumukh, P.S. Hathauri, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, Integrated Child Development Serivices, Bihar, Patna.
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
5. The District Programme Officer (ICDS), Muzaffarpur District-Muzaffarpur.
6. The Child Development Project Officer, Bochahan, District-Muzaffarpur.
7. Smt. Suman Kumari Wife of Sri Ashok Sahani Resident of Village-Bhutane, Ward No.3, P.O. Chaumukh, P.S.-Hathauri, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Awnish Kumar, Advocate
For the Respondent/s	:	Smt. Kumari Amrita (Gp3)
		Mr.Mrityunjay Kumar, AC to GP-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 02-04-2024 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 CERTIORARI for quashing the order dated 20.07.2023 passed by the Respondent no.4 in ICDS Appeal No.54 of 2022 whereby and where under the Respondent no.4 has been pleased to dismiss the appeal filed by the petitioner against the order dated 09.02.2022 passed in File NO.29-03/2021 and communicated to all concerned by the Respondent no.5 vide his memo no.346 dated 09.02.2022, whereby and where under the Respondent no.5 was



pleased to terminate the petitioner's selection as Aanganwari Sevika for Centre No.74 of Ward No.3 falling under the jurisdiction of Gram Panchayat Raj, Bhutane on the ground that the selection letter was not provided to the petitioner in the Aam Sabha itself and her selection was therefore, not in accordance with the guidelines issued by the department.

(II) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 09.02.2022 passed by the Respondent no.5 in File NO.29-03/2021 and communicated to all concerned by the Respondent no.5 vide his memo no.346 dated 09.02.2022, whereby and where under the Respondent no.5 was pleased to terminate the petitioner's selection as Aanganwari Sevika for Centre No.74 of Ward No.3 falling under the jurisdiction of Gram Panchayat Raj , Bhutane on the ground that the selection letter was not provided to the petitioner in the Aam Sabha itself and her selection was therefore, not in accordance with the guidelines issued by the department.

(III) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for reinstatement of the petitioner to the post of Aanganwari Sevika which she was holding on or before 09.02.2022 i.e. when her selection was terminated by the Respondent no.5 and to pay her consequential monetary benefits for which the petitioner would have been entitled had



her selection not been terminated illegally by Respondent no.5.”

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 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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