

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16867 of 2022

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Honey W/o Zahid Imam, R/o Hamzapur Nima Road, Near Bank of Baroda,
P.O.-Sherghati, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gaya.
3. Director I.C.D.S. Welfare Department, Government of Bihar.
4. The D.P.O., Civil line, pincode-823001, Gaya.
5. The Child Development Project Officer (CDPO), Amas, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.M. Shamim Hashmi, Advocate
For the Respondent/s : Mr.Md. Raisul Haque (SC-10)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-04-2024 The present writ petition has been filed
seeking the following reliefs:-

“1. i. For issuance of writ in nature of Certiorari for quashing the letter no. 213 dated 5.8.2021 issued by the CDPO, Amas Gaya whereby and whereunder the prayer of the petitioner for including her name in the merit list for the selection of Anganwari Sevika for Ward no. 13, Panchayat Muhuwaa, District-Gaya pursuant to the advertisement issued in the year 2020 has not been entertained despite the fact that the petitioner application was not accepted by the web portal showing the reason that the petitioner has already been applied.



ii. It is further prayed that this Hon'ble Court be pleased to direct the respondent authority to include the name of the petitioner in the merit list for the selection of Anganwari Sevika for the aforesaid panchayat pursuant to the advertisement issued in the year 2020 since, the merit list prepared earlier for the selection of Anganwan Sevika pursuant to the advertisement 2019 that contains the name of the petitioner and the same has not been cancelled.

iii. For issuance of writ in the nature of Mandamus directing the respondent authority to consider the candidature of the petitioner for the post of Anganwari Sevika under Amas Block of village Hamzapur ward no. 13, Panchayat Mahuawa pursuant to the advertisement issued in the year 2019 and thereafter, petitioner was eligible as per the merit list thus in the subsequent advertisement issued in the year 2020 it was not mandatory for the petitioner to apply for getting place in the merit list if the online application for the same was not accepted by the web portal that the petitioner has already applied as well as in view of the letter containing file no. ICDS/30025/80-2019/82 dated



16.1.2021.

iv. For issuing further direction to the respondent authority to consider the candidature of the petitioner in view of her position as per the merit list of 2019 since, despite her good position in the merit list no Aam Sabha meeting was organized by the respondent authorities nor the said merit list was cancelled or any valid reason was communicated to the petitioner.”

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 Ld. Civil Court having competent jurisdiction, for redressal of the aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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