

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16739 of 2023

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Sunita Kumari W/o late Manoj Kumar, R/o village- Madanpur, ward no. 06,
Gram Panchayat Raj Madanpur, P.S.- Parsaumi, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector, Sitamarhi.
4. The District Programme Officer, I.C.D.S., Sitamarhi.
5. The Child Development Project Officer, Parsauni, Sitamarhi.
6. Radha Kumari, W/o Sri Chandan Kumar Yadav R/o Village- Benipur, Ward no.- 06, Gram Panchayat Raj Madanpur, P.S.- Parsauni, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bishwajeet Singh, Advocate
For the State	:	Mr.Mujtabaul Haque (Gp 12)
		Mr. Vasant Vikas, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-04-2024 The present writ petition has been filed
seeking the following relief:-

"1. That this writ application is being filed for the issuance of Writ of CIRTIORARRI for setting aside the order dated 18.05.2023 in I.C.D.S. Revision Case No. 105/2021 passed by the Commissioner, Tirhut Division, Muzaffarpur (Respondent No. 2) whereby and whereunder the learned Commissioner rejected the revision application and uphold the order dated 22.11.2021 in Anganwarni Appeal Case no. C-03/2021 passed by the



District Programme Officer, Sitamarhi, (Respondent No. 4) who, without waiting for the disposal of the case before the Child Development Project Office pleased to entertain the Appeal of private respondent and allowed the same holding the petitioner to be a resident of another ward and as such her selection on the post of Anganwari Sewika has been set- aside and private respondent has been directed to be engaged in her place.

AND, further, for the issuance of Writ of MANDAMUS commanding the respondent authorities not to disturb the petitioner from her post till the hearing of the writ application as it is admitted in the order under challenge that petitioner is a resident of ward no. 6 on the relevant date and as such, she cannot be held to be disentitled for the post of Anganwari Sewika."

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 of competent jurisdiction. Liberty, so sought,
is granted.

3. The writ petition stands dismissed as not
pressed.

(Mohit Kumar Shah, J)

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