

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19587 of 2018

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Geeta Kumari @ Gita Devi Wife of Mahesh Prasad Resident of Village-
Laxmipur P.S. Baheri District-Darbhang.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
3. The Director, Integrated Child Development Service I.C.D.S. Bihar, Patna.
4. The District Magistrate, Darbhanga.
5. The District Programme Officer, I.C.D.S., Darbhanga.
6. The Child Development Project Officer, Darbhanga.
7. The Child Development Project Officer, Baheri, P.S. Baheri, District Darbhanga.
8. Ranju Kumari Wife of Satya Narayan Mandal Resident of Village-Borba, P.S. Baheri, District-Darbhang.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramashankar Singh, Adv
For the Respondent/s : Mr. Smt. Kumari Amrita- GP-3

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-09-2024 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

2. The present writ petition has been filed for setting aside the order dated 29.06.2018 in Anganwari Case No. 142/2015 passed by the Collector and District Magistrate, Darbhanga whereby and where under appeal by the petitioner was dismissed and order passed by D.P.O, Darbhanga in case No. 16/2013-14 has been confirmed taking consideration the irrelevant material. Further prayer has been made for setting



aside the Order in Case No. 16/2013-14 as contained in Memo No. 472 dated 21.03.2015 passed by District Programme Officer, Darbhanga dated 21.03.2015 rejecting the claim of the petitioner and further prayer has been made for directing the respondent to select the petitioner in place of Respondent No. 8 as Anganwari Sevika of Centre Laxmipur within Baheri Panchayat East.

3. Learned Counsel for the petitioner submits that this case has wrongly been appreciated by the District Programme Officer, I.C.D.S., Darbhanga and the District Magistrate, Darbhanga has also not considered his case and has affirmed the order passed by the District Programme Officer, I.C.D.S., Darbhanga, therefore, he has challenged the both orders.

4. Learned Counsel for the State on the other hand submits that admittedly, appointment has been made in the light of the Guidelines of the year 2006 for the appointment of Angawari Sevika and Sahiyka in which remedy lies before the Divisional Commissioner to hear the matter relating to removal under Rule 11 of the said Guideliness. He further submits that the petitioner can be appointed only and only after the removal of the person who has already been appointed on the said post. As such, the remedy lies only to the Divisional Commissioner,



Darbhangha. He further submits that the petitioner has directly moved before this Hon’ble Court for redressal of her grievances but she has not exhausted her remedy under the relevant Margdarshika for appointment of Anganwari Sevika and Sahiyka.

5. Accordingly, the present writ petition is disposed off directing the petitioner to avail her remedy before the original authority under the relevant Margdarshika for appointment of Anganwari Sevika and Sahiyka within 30 days, if cause of action still survives.

(Dr. Anshuman, J)

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