

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1115 of 2022

Rinku Kumari @ Kumari Rinku @ Rinku Devi Daughter of Vinod Yadav and Wife of Abhishek Kumar Yadav, resident of Village and Post-Ahiyapur, P.S.-Vijaipur, District-Gopalganj and presently resident of Village-Babhnauli, Post-Sahadigari, P.S.-Vijaipur, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Social Welfare, Government of Bihar, Old Secretariat, Patna.
2. The Secretary, Department of Social Welfare, Government of Bihar, Old Secretariat, Patna.
3. The Director, Directorate of Integrated Child Development Services, Department of Social Welfare, Govt. of Bihar, Patna.
4. The Deputy Director Welfare, Saran Division, Chapra.
5. The Collector cum District Magistrate, District-Gopalganj.
6. The District Programme Officer, Gopalganj, District-Gopalganj.
7. The Block Development Officer, Block and P.S.-Vijaipur, District-Gopalganj.
8. The Child Development Project Officer, Block and P.S.-Vijaipur, District-Gopalganj.
9. The Mukhiya, Gram Panchayat Raj-Belwa, Block and P.S.-Vijaipur, District-Gopalganj.
10. Smt. Suman Devi, Wife of Tej Bahadur Yadav, resident of Village-Babhnauli, Post-Sahadigari, Gram Panchayat Raj-Belwa, Block and P.S.-Vijaipur, District-Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Mishra, Advocate Mr. Alok Abhinav, Advocate Ms. Diksha Kumari, Advocate
For the State	:	Mr. Prashant Pratap (GP-2)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-12-2025 Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for the following relief(s):-



“I. For issuance of a writ in the nature of mandamus directing/commanding the respondents specially respondent nos. 5, 6 and 8 to cancel the appointment of respondent no.10 namely Smt. Suman Devi, who has been illegally appointed by the respondent no.8 as Anganbari Sevika on the Newly Anganbari Centre-158, Ward No.4, Gram Panchayat Raj-Belwa, Block & P.S.- Vijaipur, District-Gopalganj, for which the respondent no. 10 not entitled and not competent on the ground that she has less merit as comparison with the petitioner.

II. For further directing/commanding the respondent no. 5, 6 and 8 to consider the candidature of the petitioner for appointment as Anganbari Sevika on Newly Anganbari Centre-158, Ward no.4, Gram Panchayat Raj-Belwa, Block & P.S.-Vijaipur, District-Gopalganj, for which she has already duly applied vide Receipt No.204 dated 30.11.2017 (Annexure-3 of this writ application) and also she is competent/entitled to and also fulfilled all the criteria for the said post.

III. For further directing/commanding the District Magistrate, Gopalganj and the District Programme Officer,



Gopalganj (respondent no.5 & 6 respectively) to consider and disposed of the representation filed by the petitioner on 17.2.2021 before the respondent no.5 & 6 (Annexure-12 of this writ application) which are still pending till date.

IV. For any other relief/reliefs for which the petitioner is entitled to in accordance with law.”

3. Learned counsel for the petitioner submits that the petitioner has filed an application/representation before the District Programme Officer, Gopalganj (Respondent no. 6) which is annexed as Annexure-12 of the writ petition. But, the Respondent no. 6 has not taken any decision on her representation/complaint as yet.

4. Learned counsel for the State on the other hand submits that in the counter affidavit, the stand taken by the State is that on the representation filed by the petitioner, enquiry was conducted and in the enquiry, petitioner was not eligible for selection on the post of *Anganwadi Sevika*. It has also been stated that the C.D.P.O forwarded a report to the D.P.O, I.C.D.S., Gopalganj for further directions. It has also mentioned that the petitioner has never filed any appeal against the



selection of Smt. Suman Devi (Respondent no.10) as per the provisions under the guidelines of I.C.D.S either before the District Programme Officer, Gopalganj or before the District Magistrate, Gopalganj for redressal of her grievance.

5. Upon hearing the parties and upon perusal of the selection letter of private respondent no.10, it transpires that the date of said selection letter is 07.02.2018, whereas, the representation has been filed by the petitioner on 17.02.2021 which is Annexure-12. From the said representation, it transpires that the complaint with regard to the selection has been made on which the D.P.O has supposed to pass an order in the light of Rule 12 of the guidelines issued by the I.C.D.S relating to appointment of *Anganwadi Sevika & Sahayika* of 2016.

6. It transpires to this Court that since the D.P.O., Gopalganj has not passed any order on the petitioner's representation or communicated the same to the petitioner, there has been no opportunity for her to prefer any appeal.

7. Therefore, it is hereby directed to the District Programme Officer, Gopalganj (Respondent no.6) to pass a reasoned and speaking order on the petitioner's representation (Annexure-12) after hearing the petitioner as well as the



selected candidate i.e. respondent no.10, within 90 days from the date of completion of appearance of all the concerned parties.

8. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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