

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6528 of 2025

Nilam Kumari @ Nilam Devi

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Raja Surendra Mohan, Adv. Mr. Shekhar Kumar Singh, Adv. Mr. Amit Kumar Singh, Adv.
For the Respondent/s	:	Mr. Vivek Prasad, Government Pleader (7)

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner as well as
counsel for the respondent-State.

2. This petition has been preferred by the petitioner directing respondent no. 7 to appoint the petitioner on the post of Aganwadi Sahayika pursuant to the memo no. 4711/ICDS dated 09.04.2021, passed by the District Programme Officer, Saharsa in Aganwadi Appeal Case No. 271/2021.

3. It is submitted by the counsel for the petitioner that an Advertisement No. 02/2018 dated 13.10.2018 was issued by the office of District Magistrate cum collector, Saharsa for appointment of Aganwadi Sahayika. Pursuant to the said advertisement, the application was submitted by the petitioner. After completion of selection process the name of the petitioner appeared at Sl No. 1 in the provisional merit list, the respondent



no. 8 had also applied for, and her name appeared at Sl. No. 2 in the provisional merit list as she got lesser marks from the petitioner. However, the respondent no. 8 has been given appointment by the competent authority, the appointment of respondent no. 8 has been assailed by the petitioner by way of an appeal. The appellate authority vide its order dated 09.04.2021 Annexure – 3 quashed the order of appointment of respondent no. 8 and the respondents were directed to convey meeting of Gram Sabha and conclude the appointment proceeding of Aganwadi Sahayika. The said order has been assailed by the respondent no. 8 before the respondent no. 4 i.e. Commissioner, Saharsa. The Commissioner, Saharsa vide its order dated 08.07.2023 Annexure – 5 rejected the revision preferred by the respondent no. 8 and affirmed the order of appellate authority. He further submits that order of the Commissioner has not been challenged by the respondent no. 8 till today before any of the forum. Therefore, now in the light of the above, the petitioner is entitled to get her appointment to the post of Aganwadi Sahayika for which she continuously made her representation before the concerned respondent through Annexure – 6,7,8 & 9 but, no decision has been taken by the concerned respondent till today. Therefore, it is prayed by the



counsel that this petition may be disposed of, directing the respondent no. 6 and 7 to consider and decide the pending representation of the petitioner and pass a reasoned order within any specific period fixed by this Court.

4. The above prayer made by the counsel for the petitioner is not opposed by the counsel for the respondent-State.

5. Considering the submission made by both the counsels, the petition is disposed of, concerned respondent no. 6 & 7 are directed to consider and decide the pending representation of the petitioner i.e. Annexure – 6, 7, 8 & 9 in accordance with relevant rules and laws and pass a reasoned order as early as possible probably within 60 days from the receipt of the Order of this Court.

6. Accordingly, this writ petition is disposed of.

(Arvind Singh Chandel , J)

Siddharth Soni/-

U			
---	--	--	--

