

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19858 of 2015

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Shabana Khatoon D/o Md. Asharaf Ali, W/o Md. Sirajuddin resident of
Village- Chakbahauddin , p.s Dalsing Sarai, Po Chakbahauddin, District
Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Secretary, Department of Social Welfare, Government of Bihar, Patna.
4. The Director , I.C.D.S Directorate, Pant Bhawan, Patna.
5. The District Magistrate, Samastipur.
6. The District Program Officer, Samastipur.
7. The Child Development officer, Dalsing Sarai, Samastipur.
8. The Mukhiya , Gram Panchayat Raj, chak Bahauddin, Dalsing Sarai,
Samastipur.
9. Afsana khatoon Wife of Md. Jamil Akhtar, R/o Village- Chak Bahauddin, P.s
DalSingh Sarai, District Samastipur, Pin-848114

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumod Kumar Shrivastaw, Advocate
For the Respondent/s : Mr. Gautam Bose , AAG-8

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-07-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

*a) For a direction to the
Respondent No.5 to pass an Order on the
basis of enquiry report submitted by the
Enquiry Officer, the Civil S.D.O., Dalsingh
Sarai, Samastipur, which is pending before*



him for disposal, contained in Annexure-2 to this petition.

(b) For a direction to the respondents to appoint the petitioner to the post of Anganbari Sevika who is best fit candidate as per the facts and circumstances of the case.

(c) For setting aside the appointment letter to the Respondent No.9 which is contained in Annexure-1 to this petition.

(d) For issuance of any other Writ/Writs, direction/ directions, Order/Orders to which the petitioner is entitled in the ends of justice.

3. Learned counsel for the State has raised preliminary objection and submits that the matter relates to the appointment of an Anganbari Sevika, which pertains to the period of 2015 and is governed by the Guidelines for Appointment of Anganbari Sevika and Sahayika (hereinafter referred to as the “Guidelines of 2011”). Counsel further submits that, according to the Guidelines of 2011, the first authority before whom the appointment of an Anganbari Sevika may be challenged is the District Program Officer. However, in the present case, the petitioner has filed the application before



the District Magistrate, who has not passed any order. Counsel also submits that, under Rule 10 of the Guidelines of 2011, it is the District Program Officer who is the statutory authority competent to deal with such challenges regarding the appointment of an Anganbari Sevika.

4. In light of the submissions made above, particularly with reference to Rule 10 of the Guidelines of 2011 , the writ petition stands disposed off with a direction to the petitioner to avail her statutory remedy before the District Program Officer, Samastipur (respondent No. 6) and thereafter to proceed further in accordance with law.

5. It is further directed that the District Program Officer, Samastipur shall entertain the petition only if the cause of action still survives, and shall pass a reasoned order after hearing to all concerned parties.

(Dr. Anshuman, J.)

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