

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19470 of 2024

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Rekha Devi Wife of Ram Babu Das, Resident of Village- Matiyar Kala, Ward No. 07, P.O.- Matiyar Kala, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, I.C.D.S. (Integrated Child Development Scheme), Directorate, Social Welfare Department, Bihar, Patna.
4. The Collector, Sitamarhi.
5. The District Programme Officer, Sitamarhi.
6. Smt. Reema Kumari, the Child Development Project Officer, Bathnaha, Sitamarhi.
7. Smt. Pooja Kumari, Wife of Ashok Kumar, Resident of Village- Matiyar Kala, Ward No. 07, P.O.- Matiyar Kala, P.S.- Bathnaha, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ali Muqtadir Ahmad, Adv. Mr.Shahbaz Alam, Adv.
For the Respondent/s	:	Mr.Sunil Kumar Mandal, SC-3 Mr.Bipin Kumar, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This petition has been preferred by the petitioner
seeking following reliefs:-

(i) For issuance of writ of certiorari to
quash the order dated 13.03.2024 passed by the
District Programme Officer, Sitamarhi, in
Appeal Case No. 19/2021 whereby the
petitioner has been terminated from the post of
Anganbari Sevika, Gram Panchayat Raj-Matiyar



Kala, Ward No. 07, Center No. 214 after setting aside the decision of the Special Aam Sabha dated 05.08.2021 wherein petitioner has been duly/legally appointed in the Aam Sabha meeting dated 05.08.2021.

(ii) For issuance of writ of certiorari for setting aside the order dated 25.04.2024 passed by the Child Development Project Officer, Bathnaha, Sitamarhi.

(iii) For issuance of a writ in the nature of mandamus commanding the respondent authorities that after setting aside the order of termination accept the joining of the petitioner and further allow to do work as Anganbari Sevika at Center No. 214, ward No. 07, Gram Panchayat Matiyar Kala, Bathnaha, Sitamarhi.

(iv) For issuance of a writ of mandamus for direction to respondent no. 4 to make enquiry of illegalities and irregularities committed by the Respondent No. 6 as well as the other subordinates of the Respondent No. 6 against which the husband of the petitioner has submitted his written application/ complaint before the Respondent No. 4.

(v) For issuance of writ of mandamus commanding and directing the respondent authorities to allow the petitioner to run the Anganbari Center No. 214, Bathnaha, at which petitioner has been legally appointed after following the provisions contemplated under the Rules, 2016.

3. Contention of learned counsel for the petitioner is that initially the petitioner was appointed as Anganbari Sevika vide



order dated 05.08.2021 which is annexed as Annexure ‘P-7’ subsequently her order of appointment has been cancelled by the respondent authorities vide order dated 13.03.2024 on the ground that the date of birth of the petitioner appears to be suspicious. The order dated 13.03.2024 has been assailed by the petitioner by way of appeal before the Respondent No. 4 – Collector, Sitamarhi which is pending as Anganbari Appeal Case No. 29 of 2024.

4. It is further submitted by learned counsel for the State that, however, during pendency of the appeal the order of termination of the petitioner has been stayed by Respondent No. 4 but the appeal is not yet decided and is still pending.

5. Considering the submission made by both the counsel, it would be appropriate to dispose of the petition directing Respondent No. 4 to decide the pending Appeal No. 29/2024 within a stipulated period fixed by this Court, accordingly, this petition is disposed of with a direction to Respondent No. 4 to dispose of the concerned appeal as early as possible probably within a period of 90 days from today, according to relevant rules and laws.

(Arvind Singh Chandel , J)

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