

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5204 of 2026

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Fula Devi Wife of Moti Ram, Resident of village- Khatkhari, P.S. - Aghaura,
District- Kaimur, Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Social Welfare Department, Govt. of Bihar.
2. The Additional Chief Secretary Social Welfare Department, Government of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Kaimur, Bhabua.
5. The District Programme Officer, ICDS, Kaimur, Bhabua.
6. The C.D.P.O. Block Aghaura, P.S. - Angaura, District- Kaimur, Bhabua.
7. The Block Development Officer, Aghaura, Kaimur.
8. Guriya Kumar, Lady Supervisor Child Development Project, Aghaura, Kaimur, Bhabua.
9. Sima Dev, W/o Rajesh Ram, Resident of Village- Khatkhari, Ward No. 03, P.S. - Aghaura, District- Kaimur, Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Advocate
For the Respondent/s : Mr. Government Pleader (06)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 07-04-2026

Heard learned Counsel for the petitioner and learned
Counsel for the State.

2. The present writ petition has been filed by the petitioner directing the respondent to appoint/select the petitioner on the post of Anganbari Sevika for Ward No.03, Centre Khatkhari, within Dighar Panchayat, Block Aghaura,



District- Kaimur, Bhabua. Further prayer has been made to implement the order dated 15.11.2025 contained in Memo No.1638 dated 15.11.2025 (Annexure-P/6), with any other relief or reliefs for which the petitioner is found entitled.

3. Learned Counsel for the petitioner submits that on the application filed by the petitioner, the District Programme Officer, ICDS, Kaimur, Bhabua, has initiated Misc. Case No.2 of 2023 against private respondent No.9 and it was found that appointment of the petitioner of the year 2017 was forged and fabricated. But he is aggrieved by the said order that on the one hand the District Programme Officer has found the appointment of respondent No.9 became illegal, but petitioner was not granted any liberty to join on the said post. Therefore, he preferred the writ petition.

4. Learned Counsel for the respondent submits that there is a provision of appeal before the concerned District Magistrate according to the relevant Margdarshika and petitioner instead of availing the said remedy has moved directly before this Court. Counsel also submits that this Hon'ble Court is not the executing Court under which the order passed by the D.P.O. shall be implemented.

5. In the light of the submissions made, it transpires to



this Court that remedy available to the petitioner to move before the concerned District Magistrate, therefore, the writ petition is disposed off granting liberty to the petitioner to move before the concerned District Magistrate. It is made clear that if there is any delay in filing the appeal, it is directed to be condoned, if filed within 30 days.

6. It is made clear that the appellate authority upon filing the appeal shall hear the petitioner as well as to respondent No.9 and, then, after granting opportunity to both, shall pass order in accordance with law.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.04.2026
Transmission Date	

