

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6761 of 2026

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Rubi Devi W/o Late Sanjay Nath Chaudhary, R/o village- Erazi Jagat, P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme Directorate, Social Welfare Department, Government of Bihar, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The Collector- cum- District Magistrate, Madhubani.
5. The District Programme Officer, Madhubani.
6. The Child Development Project Officer, Benipatti, Madhubani.
7. The Lady Supervisor, Benipatti, Madhubani.
8. Geeta Jha, W/o Late Brajesh Jha, R/o village- Jagat, P.S.- Benipatti, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandit, Advocate
For the Respondent/s : Mr. Standing Counsel (18)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner submits that the present writ petition has been filed for the following reliefs:-

“I. For setting aside the order dated 01/08/2025 (Annexure-P/14) passed in Aanganbari Appeal Case No. 12/2024 by the Divisional Commissioner, Darbhanga whereby and where under application filed by petitioner in compliance with the order of



Hon'ble Court dated 18/04/2024 passed in CWJC No.5557/2024 filed for setting aside the order dated 11/12/2023 passed in Anganbari Appeal Case No.21/2020-21 by the Collector, Madhubani has been dropped on lack of jurisdictional ground in cryptic manner with advice to the petitioner to move before the competent Civil Court for redressal of grievance.

II. For quashing the order dated 11.12.2023 (Annexure-P/11) passed by the District Collector, Madhubani in Anganwari Appeal Case No. 21 of 2020-21 by setting aside the order passed by the District Programme Officer, Madhubani in Miscellaneous Case No. 7/2019 as contained in Memo No. 256 dated 15.05.2020 whereby and where under the District Programme Officer, Madhubani has been pleased to set aside the selection of the newly selected Sewika namely Geeta Jha (Respondent No. 8) of Ward No. 1, Panchayat Behta, Centre No. 334, Block Benipatti directing the appointment of the petitioner of Ward No. 1, Panchayat Behta, Block Benipatti, Centre No. 334 as Sevika finding her name in merit list at serial no. 1 (after refusal of the candidate whose name was placed at serial no. 1) in view of powers vested with him in Clause 12 of the Guidelines issued by the



Department as contained in Letter No. 2222 dated 25.05.2018 (Annexure P/2 Series).

III. For a direction to the respondents to appoint the petitioner as Anganwari Sewika, Ward No. 1, Panchayat Behta, Centre No. 334, Block Benipatti and to pay the consequential benefits of the post.

IV. For issuance of any other relief or reliefs for which the petitioner is entitled in the facts and circumstances of the case.”

3. Learned counsel for the State raised a preliminary objection and submits that the petitioner has moved before this Hon'ble Court twice earlier. Firstly, in CWJC No. 13751 of 2019 (Rubi Devi Vs. The State of Bihar & Ors.), which was disposed of vide order dated 11.07.2019 granting liberty to the petitioner to avail the remedy of appeal. Counsel further submits that thereafter an appeal was preferred, however, subsequently, the petitioner again moved before this Court in CWJC No. 5557 of 2024 (Rubi Devi Vs. The State of Bihar & Ors.), wherein, by order dated 18.04.2024, liberty was granted to avail such other alternative remedies as are available under law, including filing a civil suit before the learned Civil Court of competent jurisdiction. With this liberty, the writ petition was dismissed as not pressed.



4. Counsel further submits that, in that view, the petitioner had no scope to move again before the Divisional Commissioner, Darbhanga Division, and obtain any order, which is impugned herein, in Aanganbari Appeal Case No. 12 of 2024.

5. After going through the aforementioned orders, particularly the order dated 18.04.2024 passed in CWJC No. 5557 of 2024 (Rubi Devi Vs. The State of Bihar & Ors.), which was dismissed as not pressed with the following observation:-

“2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a civil suit before the learned civil court of competent jurisdiction. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.”

6. The petitioner, in spite of the observation to file a civil suit before the learned Civil Court of competent jurisdiction, did not do so, but instead approached the Divisional Commissioner, Darbhanga Division, who passed the order in



Aanganbari Appeal Case No. 12 of 2024, which is impugned herein.

7. It transpires to this Court that judicial discipline has not been followed. As such, this Court is not inclined to pass any order. Accordingly, the present writ petition stands dismissed.

(Dr. Anshuman, J.)

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