

Afsana Khatoon Wife of Md. Israil Resident of Village- Murdauli (Ward No. 15), Post Office- Akauna, Police Station- Singhia, District- Samastipur, Bihar.

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Bihar, Patna.
2. The Director, ICDS, Bihar, Patna.
3. The Divisional Commissioner, Darbhanga Division, Darbhanga.
4. The District Magistrate, Samastipur, District Samastipur.
5. The District Education Officer, Samastipur.
6. The District Programme Officer, ICDS, Samastipur.
7. The Child Development Project Officer, Singhia, Samastipur, District Samastipur.
8. The Lady Supervisor, Singhia, District -Samastipur.
9. Arti Kumari Wife of Santosh Kumar Sahu Resident of Village- Haripur, Post office- Aakona, Police Station- Singhia, District-Samastipur.
10. Hina Khatoon Wife of Md. Shadab Alam Resident of village- Murdauli, Post office- Akauna, Police Station- Singhia, District- Samastipur.

... .. Respondent/s

For the Petitioner/s : Mr.Saobiya Mushtaque, Adv.
For the Respondent/s : Mr.Government Advocate (08)

2 07-04-2026 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

(i) To quash the order dated 07.02.2024 as contained in Memo No. 207 dated 07.02.2024 passed in Case No. 398/2019 passed by Learned District Programme Officer, ICDS, Samastipur;



whereby and whereunder direction has been given to the CDPO, Singhia to makes selection on the basis of revised merit list in the light of Sevika Sahika, Selection guideline 2016.

ii) To quash the order dated 12.04.2023 passed in Aanganbari Appeal Case No. 458/2021 and other analogous cases passed by Learned Collector, Samastipur,. Whereby and whereunder the Case No. 398 of 2019 was remanded to the District Programme Officer, ICDs, Samastipur for passing fresh order in the light of Sevika Sahika, Selection guidelines, 2016.

iii) To quash order dated 05.06.2021 passed in Case No. 398/2019 passed by Learned District Programme Officer, ICDS, Samastipur whereby and whereunder petitioners selection as Aanganbari Sevika in Center No. 216 has been cancelled and direction has been issued for fresh selection in the this light of Sevika/Sahika Selection guidelines 2019.

3. Learned counsel for the State raised preliminary objection and submits that the first order which has been challenged, is the order passed in Case No.398 of 2019 on 05.06.2021 by the DPO, thereafter, three appeals were preferred in this matter. Appeal No.458 of 2021, Appeal No.463 of 2021 and Appeal No.464 of 2021 have been heard together and final order has been passed on 12.04.2023 in which matter was



remanded back by the Collector before the DPO and the DPO in compliance of order passed by the Collector, has passed final order on remand dated 07.02.2024. Therefore, the immediate order by which the petitioner aggrieved, is the order passed by the DPO.

4. Counsel for the State further submits that the order passed by the DPO which is contained in Memo No.207 dated 07.02.2024 is appealable order, but inspite of filing the appeal, the petitioner has directly preferred this writ petition before this Hon'ble Court.

5. In response, thereof, counsel for the petitioner seeks permission to withdraw the present writ petition with liberty to challenge the said order passed by the DPO before the appellate authority.

6. In the light of the submissions made, the present writ petition is hereby disposed off granting liberty to the petitioner to challenge the said order before the Appellate Authority within 30 days from today along with this order and the Appellate Authority shall pass a reasoned and speaking order on the same within 90 days after appearance of all the concerned.

7. Delay, if any, in filing the appeal, is hereby directed



to be condoned.

8. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J)

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