

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15006 of 2022

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Sima Devi Wife of Shri Sanjay Gupta, Resident of Village - Amarpura, Tola - Shitalpur, P.S.- Mahammadpur, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Gopalganj.
2. The Deputy Collector, Land Reforms, Gopalganj.
3. The Block Development Officer, Sidhwaliya, Gopalganj.
4. The District Programme Officer, Gopalganj.
5. The Child Development Project Officer, Sidhwaliya, Gopalganj.
6. The Lady Supervisor, Aanganbadi Centre No. 144, Ward No. 14, Garm Panchayat Raj, Amarpura, Block - Sidhwaliya, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Srivastava, Advocate
For the State	:	Mr. S.K. Mandal (SC-3)
		Mr. Arjun Prasad (AC to SC-3)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 13-01-2026

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

2. The present writ petition has been filed for the
following relief/s:-

“A. For issuance of appropriate writ/writs, order/orders for setting aside the part of the order dated 24.06.2022, passed by the Respondent No. 1 i.e. the Collector, Gopalganj, passed in Aanganbadi



Appeal Case No. 19/2018 whereby and whereunder he directed the Respondent No. 4 i.e. the District Programme Officer, Gopalganj to re-select the Aanganbadi Sevika at Centre No. 56/144, Ward No. 14. Gram Panchayat Raj, Amarpura, Shitalpur, Block - Sidhwaliya, District -Gopalganj, ignoring the fact that the petitioner was duly selected and working as an Aanganbadi Sevika in the said centre after duly fulfilling all the eligibility criteria and the said order was passed without considering the reply filed by the petitioner, which violates the principles of Natural Justice.

B. Further for staying the operation of the part of the impugned order dated 24.06.2022 regarding the re-selection of the Aanganbadi Sevika at Centre No. 56/144, Ward No. 14, Gram Panchayat Raj, Amarpura, Shitalpur, Block- Sidhwaliya, District - Gopalganj till the disposal of this writ application.

C. Pass such other Order/Orders as your Lordships may deem fit and proper.”



3. Learned counsel for the petitioner submits that Aam Sabha was held on 12.02.2018 & 16.02.2018 by which the petitioner was selected on the post of Anganwadi Sevika for Anganwadi Centre No. 144, Ward No. 14, Gram Panchayat Raj, Amarpura, Shitalpur, Block- Sidhwaliya, District- Gopalganj. Counsel further submits that the selection letter has been issued to the petitioner on 16.02.2018. He submits that one Shabnam Khatoon a non selected candidate has challenged the selection of the petitioner before the D.P.O, Gopalganj by virtue of Anganwadi Appeal Case No. 49 of 2018, which was decided on 03.07.2018. In the said Anganwadi Appeal Case No. 49 of 2018, the petitioner was respondent no.1. Against the decision of the said Anganwadi Appeal Case No. 49 of 2018 passed by the D.P.O, Gopalganj, further appeal has been filed before the District Magistrate, Gopalganj bearing Anganwadi Appeal Case No. 19 of 2018, in which the final order has come on 24.06.2022 by which the direction for fresh selection for the Anganwadi post has been made by the Collector. The present writ petitioner being aggrieved & dissatisfied by the said order dated 24.06.2022 passed by the District Magistrate, Gopalganj in Anganwadi Appeal Case No. 19 of 2018 has preferred the present writ petition.



4. Learned counsel for the State on the other hand submits that the present writ petition is fit to be dismissed, as against the selection of petitioner, one Shabnam Khatoon has filed Anganwadi Appeal Case No. 49 of 2018 in which petitioner was heard and the D.P.O, Gopalganj dismissed the said anganwadi appeal. Thereafter, Shabnam Khatoon again preferred another Anganwadi Appeal Case No. 19 of 2018 before the Collector, Gopalganj, in which finding has come that the Aam Sabha was held on 12.02.2018 and again on 16.02.2018 in which the said appellant was absent and it is due to this reason, the present petitioner has been selected. But, upon perusal of the record, it has been found that no evidence is on record by which it become clear that information with regard to the Aam Sabha has been communicated to the appellant of anganwadi appeal. And it is due to this reason, the order passed by the D.P.O., Gopalganj was set aside by the Collector and directed the C.D.P.O, Sidhwaliya, Gopalganj to ensure fresh selection on the post of Anganwadi Sevika in the presence of all.

5. After perusal of the record, it transpires that in the Anganwadi Appeal Case No. 49 of 2018, there were six persons namely, Seema Kumari, Tabassum Nahid, C.D.P.O, Sidhwaliya, Girija Devi, Asmina Khatoon and Sarita Devi who



were party respondents. Similarly, in the appeal filed before the Collector, the State of Bihar and others were added as party respondents. But, in the present writ petition, the petitioner has not made other persons as party who were actually party in the anganwadi appeal. It is due to this reason, this Court found fit that this case suffers from *mis-joinder* and *non-joinder* of the necessary parties. In addition to that, it is the specific observation of the Collector that no document has been produced before the Collector in which during Aam Sabha any notice was issued to the Shabnam Khatoon. And it is due to this reason, the Collector, Gopalganj has set aside the selection and directed to make fresh selection noticing to all.

6. In this view of the matter, this Court finds that there is no need of any interference in the order passed by the Collector, Gopalganj and hence, the present writ petition is hereby dismissed. The order passed by the Collector, Gopalganj in Anganwadi Appeal Case No. 19 of 2018 dated 24.06.2022 (Annexure-7) is hereby approved/affirmed.

7. It transpires that there is one interlocutory application bearing I.A. No. 1 of 2023 which has been filed by one Shabnam Khatoon to add herself as intervenor respondent in the present writ petition. But, there is no one to press the said



I.A. As such, in the light of the aforesaid facts and circumstances, this I.A. No. 1 of 2023 stands disposed off.

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	16/01/2026
Transmission Date	NA

