

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16842 of 2025

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Manoj Kunwar @ Manoj Devi W/o late Pappu Pandey, R/o C/o Village
Lauriya, PO Lauriya, PS Govindganj, District East Champaran, Bihar 845411.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Social Welfare Department.
2. The Director, I.C.D.S., Directorate, Social Welfare, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, East Champaran, Motihari.
4. The District Program Officer, East Champaran, Motihari.
5. The Child Development Project Officer, Areraj, East Champaran, Motihari.
6. The Female Supervisor, Child Development Project, Areraj, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dharamnath Pd. Yadav, Advocate Mr. Vikash Kumar, Advocate Mr. Ranvijay Singh, Advocate
For the Respondent/s	:	Mr. Standing Counsel 04

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-05-2026 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:-

*“1. For issuance of a writ in the nature of
certiorari or such other writ/s, order/s,
direction/s for quashing Memo No. 303 dated
30/08/2025, issued by Child Development
Project Officer, Arreraj, East Champaran
(Respondent No.-5), wherein the service of
petitioner was terminated as Anganbadi*



Sahayika after almost 9.5 years in service, without giving any opportunity of hearing. And/or

II. For issuance of a writ in the nature of certiorari or such other writ/s, order/s, direction/s for quashing order dated 28/06/2025, passed in Remand Case No.- 63/2019, by District Programme Officer, East Champaran, Motihari (Respondent No. 4), insofar as the direction to the Child Development Project Officer, Arreraj, East Champaran (Respondent No.-5) for terminating the service of person appointed conditionally in the interregnum period on the post of Anganbadi Sahayika is concerned, And/or

III. For issuance of writ of mandamus for reinstating the petitioner as Anganbadi Sahayika at the same anganbadi centre or for appointing the petitioner at any other anganbadi centre, And/or

IV. For any other relief/s for which the petitioner is entitled in the facts and circumstances of the present case.”

3. Learned counsel for the petitioner submits that the petitioner was appointed as Anganbadi Sahayika at Anganbadi Centre No. 96, Panchayat, Radhiya, Arreraj, District- East



Champan by virtue of Annexure-P/2 dated 03.02.2017 and has been removed *vide* Memo No. 303 dated 30.08.2025 (Annexure-P/3), on the ground that an order has been passed by the District Programme Officer, East Champaran, Motihari in Remand Case no. 63/2019 dated 28.06.2025/30.06.2025. Counsel submits that the appointment letter was unconditional and removal has been made on the basis of a case in which, the petitioner has not been heard. Therefore, counsel submits that the said letter dated 30.08.2025 (Annexure-P/3) and order of the D.P.O., (Annexure-P/4), both are completely in gross violation of natural justice and therefore, fit to be set aside.

4. Learned counsel for the State, on the other hand, submits that from the prayer itself, it become crystal clear that the order of the D.P.O passed in Remand Case no. 63/2019 has been challenged and the petitioner is aggrieved by the said order which is an appealable order according to the relevant *margdarshika* for the appointment of Anganwadi Sevika & Sahayika. Counsel submits that the relevant advertisement shall definitely indicate that this appointment was conditional as prior litigation was going on.

5. This Court without entering into the merit or demerit of this case and considering only the legal aspect of the



matter that the order of D.P.O has been challenged before this Court which is an appealable order, therefore, not inclined to grant any relief to the petitioner at this juncture, save and except, grants liberty to the petitioner to challenge the order of D.P.O by filing appeal raising all the points including the points raised in the writ petition. The Appellate Authority shall, after hearing all the concerned parties and examining the advertisement pursuant to which the petitioner was appointed, decide this case on merit.

6. The petitioner shall file her appeal before the District Magistrate, East Champaran, Motihari (Respondent no.3) within 30 days from today and the Respondent no.3 upon receipt of the petitioner's appeal shall pass order within 90 days thereafter. The said 90 days shall be counted from the date of completion of appearance of all the concerned.

7. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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