

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4700 of 2015

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Neetu Kumari wife of Rajesh Kumar, resident of Village- Chaura Parwaha, Ward No.14, P.S- Forbesganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar, through Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Director (I.C.D.S.) of Social Welfare Department, Govt. of Bihar, Patna.
3. Assistant Director (I.C.D.S.) of Social Welfare Department, Government of Bihar, Patna.
4. The Joint Commissioner cum- Secretary, Regional Transport Authority, Purnea Commissioner, Purnea.
5. District Magistrate, Araria.
6. District Programme Officer, Araria.
7. Child Development Project Officer, Forbesganj Block, District- Araria.
8. The Anchaladhikari, Block- Forbesganj, District- Araria.
9. Sita Kumari w/o Anant Kumar Sah, resident of Village- Cahura Parwaha, Ward No. 14, P.S- Forbesganj, District- Araria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Respondent/s : Mr. AAG5- P.K. VERMA

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 30-03-2015

A K Tripathi, J.

There is a clear finding that the present petitioner is not a resident of the ward for which selection for Anganwari Sevika was required to be made. The finding is that nobody was eligible from the ward to be selected for such assignment. One claimant was a minor at the relevant time.

2. If that be so, the petitioner cannot be directed to be selected over and above Sita Devi, the private respondent. However, this Court finds it strange that the respondent authorities have allowed the guidelines to be breached and upheld appointment of Sita Devi on the ground that she is nearest to the ward.

3. Such an aberration has not been permitted within the guidelines for

such selection. Obviously, this is a matter which is required to be re-looked into by the competent authority.

4. However, it cannot form the basis to interfere with the impugned order since petitioner cannot be appointed as she does not belong to the ward.

5. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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