

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21 of 2009

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Kiran Devi @ Kiran Kumari, wife of Ajay Yadav, resident of village-
Khesari Tola Siyar Bhuka, P.S. Nimchak Bathani, district- Gaya
..... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Gaya
3. The District Programme Officer, Gaya
4. The Child Development Project Officer, Nimchak Bathani, District-
Gaya
5. The Mukhiya, Gram Panchayat Raj Maniara, P.O. Maniara, P.S.
Nimchak Bathani, District- Gaya

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha
Mr. Upendra Kumar

For the Respondent/s : Mr. AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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3 27-04-2015 Heard Sri Suraj Narayan Yadav, learned counsel, who

was assisted by Sri Upendra Kumar, learned counsel for the

petitioner and learned AC to SC-13.

The petitioner, invoking writ jurisdiction of this court under Article-226 of the Constitution of India, has prayed for quashing of an order 17.10.2008, contained in Memo No. 1430 (Annexure-6 to the writ petition). On perusal of the said order it is evident that on enquiry, an order has been passed, whereby selection of the petitioner as Aanganbari Sevika has been cancelled.

Learned counsel for the petitioner submits that the

complainants, who had filed complaint making allegation against the selection of the petitioner, were not having locus to raise some dispute. On this ground alone, it has been prayed for setting aside the order impugned.

Learned state counsel has opposed the prayer of the petitioner.

I have perused Annexure-6 to the writ petition. On perusal of the order, it appears that on complaint made to the District Magistrate, an enquiry was conducted and during enquiry, it was found that the appointment on the post of Aanganbari Sevika, on which selection of the petitioner was made, was not in accordance with law since the petitioner was not belonging to the category of Scheduled caste, whereas the said post of Aanganbari Sevika was to be filled up from the person belonging to Scheduled caste. It is not in dispute that the petitioner was not member of Scheduled Caste.

In view of the facts and circumstances, I do not find any defect in the impugned order. The writ petition stands dismissed.

(Rakesh Kumar, J)

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