

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11305 of 2008

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Sunita Kumari, wife of Surendra Chaudhary, resident of village – Dumri, P.S. – Govindpur, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. Secretary, Department of Welfare, Government of Bihar, Patna
3. Director, Department of Welfare, Government of Bihar, Patna
4. District Magistrate-cum-Collector, Nawada
5. Deputy Development Commissioner, Nawada
6. District Welfare Officer, Nawada
7. Child Development Project Officer, Rohtas at Sasaram in the district of Nawada
8. Mukhiya, Dumri Gram Panchayat in the Block of Roh under District Nawada
9. Secretary, Dumri Gram Panchayat, in the Block of Roh under District of Nawada
10. Suman Devi, wife of Sri Ram Janam Paswan, resident of village – Dumri, P.S. – Govindpur, District – Nawada, presently working as Anganwari Sewika at Centre Dumri in village – Dumri, P.S. – Govindpur, District - Nawada

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. BIRENDRA KUMAR

For the Respondent/s : Mr. (GP5)

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 14-08-2015

14.08.2015

Heard learned counsel for the parties.

Respondent No.10 selection on the job of Anganbari Sevika has been assailed by the petitioner in the present writ application. She wants quashing of such a selection as well as a direction for her engagement as an Anganbari Sevika.

Counsel for the petitioner submits that since she was working as a Anganbari Sahayika, therefore, she had to be given weightage in selection of the post of Anganbari Sevika

The Court has gone through the guidelines.
There is no such provision of granting of weightage.

The second attack against the selection of
respondent no. 10 is that it has been done in violation of
Clause- 3 (gha).

The respondents in their counter affidavit have
taken a clear stand that since the name of the private-
respondent figures in the voter list, there is no dispute
about her being a resident of the ward in question.
Therefore, the requirements of 3 (gha) was not meant for
respondent no. 10.

Before parting counsel for the petitioner
submits that yet another point in favour of the petitioner
is that petitioner had been deserted by her husband,
therefore, there is provision for such woman.

Such a point was never urged or pleaded
earlier. Therefore, the Court will not allow the petitioner
to raise a new ground.

Writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J.)

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