

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16419 of 2008

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Sanju Kumari, wife of Sri Birendra Yadav, resident of village Bahelia
Bigha, P.O. + P.S. Sherghati in the district of 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, Sherghati, Gaya
5. The Gram Panchayat, Chitab Kala through Panchayat Secretary, P.S. Sherghati, District Gaya
6. The Mukhiya, Chitab Kala Gram Panchayat, P.S. Sherghati, District Gaya
7. The Panchayat Secretary, Chitab Kala Gram Panchayat, P.S. Sherghati, District Gaya

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dinu Kumar with M/S Rajesh Kumar
Singh & Santosh Kumar, Advocates

For the State : Mr. Dr. Anil Kr. Upadhaya, SC 20 with
Mr. Naresh Prasad, AC to SC 20

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 18-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks quashing of the order dated 11.7.2008 passed by the District Magistrate, Gaya by which the selection of the petitioner to the post of Anganbari Sevika under Chitab Kala Gram Panchayat has been cancelled with the direction to the Gram Panchayat/Child Development Project Centre, Sherghati to institute a criminal case against the petitioner.

The petitioner was selected as Anganbari Sevika by the



Aam Sabha of Chitab Kala Gram Panchayat at its meeting held on 10.5.2007. Matriculation certificate was a requirement for the said post and the petitioner claims to have supplied Madhyama certificate, which is equivalent to Matriculation Examination. The stand of the petitioner is that she had supplied the certificate of the Sanskrit Shiksha Board, Patna. However, one Saroj Kumari, who was also an applicant for the said post, made an allegation that the petitioner had supplied Madhyama certificate of Uttar Pradesh Madhyamik Sanskrit Shiksha Parishad, Lucknow. In view of the dichotomy in the stand of the parties, the Collector directed the Gram Panchayat to clarify as to which certificate was produced by the petitioner at the time of selection for the said post. By letter dated 10.6.2008 the Gram Panchayat, Chitab Kala, Block Sherghati has stated that at the time of appointment she had produced the certificate of Uttar Pradesh Madhyamik Sanskrit Shiksha Parishad, Lucknow. For the said reason, the District Magistrate, Gaya passed the aforesaid impugned order holding that the petitioner has two certificates, out of which one is forged and her selection as Anganbari Sevika has been made on the basis of the said forged certificate.

In the writ application the petitioner has not at all made out a case that the certificate of Uttar Pradesh Madhyamik

Sanskrit Shiksha Parishad, Lucknow was a genuine certificate which she had supplied, rather she still insists that she had been selected on the basis of the certificate issued by the Bihar Sanskrit Shiksha Board, Patna

In view of the aforesaid stand of the petitioner and considering that the Gram Panchayat has on the basis of its records stated that the petitioner had relied upon the certificate of Uttar Pradesh Sanskrit Shiksha Parishad, Lucknow at the time of her selection, there does not appear to be any illegality in the order passed by the District Magistrate, Gaya.

The writ application is devoid of merit and it is, accordingly, dismissed.

(Ramesh Kumar Datta, J)

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