

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3965 of 2015

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Sunita Devi W/o Shri Awadhesh Kumar, Resident of village - Pitamberpur, Block & P.S. Fatuha, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Welfare Department, Government of Bihar, Patna
2. The Director, Welfare Department, Government of Bihar, Patna
3. The Deputy Director, Welfare Department (Patna Division), Government of Bihar, Patna
4. The Divisional Commissioner, Patna Division, Government of Bihar, Patna
5. The District Magistrate cum Collector, Patna
6. The District Programme Officer (Establishment), Patna
7. The Block Development officer, Fatuha, Patna
8. The Child Development Project officer, Fatuha, Patna
9. The Mukhia, Pitamberpur Gram Panchayat, Block - Fatuha, Patna
10. The Secretary, Pitamberpur Panchayat, Block - Fatuha, Patna
11. Pushpa Devi W/o Shri Shyam Narayan Prasad Resident of village - Pitamberpur, Block & P.S. Fatuha, District - Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Respondent/s : Mr. MANIKANT MISHRA

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 19-03-2015

A K Tripathi J.

The order contained in Annexure-10 dated 6.1.2015, passed in Anganbari Appeal No. 151 of 2012 by the Deputy Director, Welfare, Patna, is based on the guidelines of the rules, which prohibits selection of certain candidates, who are related to a public representative.

2. No doubt, the post of a Panch was not specifically mentioned in 2006 Rules but the concept of debarring certain class of people who are related to a public representative was very much available even then.

3. Because of some controversy the Rule in the year 2011 has

expanded the post which comes within the meaning of a public representative.
Panch is one of it.

4. If that be so then narration of the event with regard to resignation of the husband of the petitioner from the post of Panch, the same not having been taken effect before the selection of the petitioner, cannot be overlooked.

5. The order of the Deputy Director being in consonance with the guidelines of the rules is not required to be interfered with.

6. Writ application is, therefore, dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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