

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2017 of 2015

1. Mritanjali Kumari Wife of Sri Chandan Kumar, Resident of Village - Manjaur, P.S. - Warisaliganj, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
3. Director, Integrated Child Development Scheme (ICDS), Bihar, Patna.
4. Deputy Director, Socia Welfare Department, Magadh Division Gaya.
5. District Programme Officer, Nawada.
6. Child Development Project Officer, Warasliganj, Nawada.
7. Rinku Kumari Wife of Sri Anil Singh, Resident of Village - Manjaur, Ward No. 8, P.O. Manjaur, P.S. - Warisaliganj, District - Nawada.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar
For the Respondent/s : Mr. AJEET KUMAR

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 13-04-2015

13.04.2015

Heard learned counsel for the parties.

There is concurrent finding with regard to the residence of the petitioner. If that be so, her selection cannot be made, which is the subject matter of dispute. The explanation offered by the petitioner is only an effort to hang on to a benefit by showing that she happens to be also a resident of the ward in question. Finding is loaded against her based on evidence, which have been discussed extensively in the order impugned.

If this be so, a judicial review under Article 226 of the Constitution of India for such selection, which is

not a permanent appointment under the State, could not be considered beyond a point.

Writ application has no merit, it is dismissed.

If the petitioner wants to get a declaration from a civil court of competent jurisdiction, let her do so.

(Ajay Kumar Tripathi, J.)

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