

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2226 of 2015

=====

1. Rajda Parween wife of Sheikh Farman resident of Village- Sonamani, P. S- Sindhiya, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt of Bihar, Patna.
2. The Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
3. The Director, Social Welfare Department, ICDS Directorate, Govt. of Bihar, Patna.
4. The Deputy Director, Department of Welfare, Darbhanga Division.
5. The District Magistrate, Samastipur.
6. The District Programme Officer, Samastipur.
7. The Block Development Officer, Sindhiya, Samastipur.
8. The Child Development Officer, Sindhiya, Samastipur.
9. The Panchayat Secretary/Gram Panchayat Raj, Mahra, Samastipur.
10. The Mukhiya Gram Panchayat Raj Mahra, Samastipur.
11. Sabana Parween wife of Md. Shahid , resident of village- Sonmani, P.S. Sindhiya, District- Samastipur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rashid Rais

For the Respondent/s : Mr. GP14- M.K.Ambastha

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 05-02-2015

The main ground for assailing the order contained in Annexure- 13 against the selection of private respondent no.11 is that her mother-in-law was a Member of the Ward and, therefore, the selection of the private respondent for the said Ward is vitiated. In support thereof, Annexure- 5 series have been issued, which is letter of the Mukhiya of the Gram Panchayat. The letter of the Mukhiya of the Gram Panchayat has to be tested vis- a- vis what has been recorded in the impugned order in regard to resignation of the mother- in- law of the private respondent and its acceptance by the

Panchayat Committee in its meeting duly held, which seems to have been produced before the authorities as proof thereof. Since Mukhiyas have their own agenda and politics to play at the local level, the certification contained in Annexure- 5 series may not be adequate, especially when the petitioner has failed to produce or bring evidence on record that such resolution in the meeting of the Panchayat was not taken accepting the resignation of the mother- in- law of the private respondent.

If this is so, the findings cannot be interfered with. Writ application has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--