

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3681 of 2015

Sanjoga Kumari, wife of Sri Brijnandan Singh, resident of village- Umrai Bigha, P.S.Makhdumpur, District-Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary welfare Department, Government of Bihar Patna.
2. The Additional Secretary, Welfare Department Government of Bihar, Patna.
3. The Deputy Director, Welfare, Magadh Division, Gaya.
4. The Collector, District- Jehanabad.
5. The District Programme Officer District- Jehanabad
6. The C.D.P.O- Prakhand Makhdumpur, District- Jehanabad.
7. Munni Kumari, wife of Sri Mahesh Parasad, Village-Umarai Bigha, P.S. Makhdumpur, District- Jehanabad.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Respondent/s: Mr. Sanjay Mandal, AC to SC6

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 13-03-2015

A K Tripathi, J.

The impugned order is Annexure-7 dated 10.01.2015. This is the order passed by the Deputy Director, Welfare, Magadh Division, Gaya. By virtue of this order the appeal of Munni Kumari has been accepted and claim of the petitioner for appointment on the post of Anganwari Sevika has been rejected.

2. Submission of the counsel for the petitioner is that there is pre-dominant evidence about this petitioner is a resident of the ward in question, therefore, she had every right for consideration for such selection in the Aam Sabha.

3. From the detailed narration of the dispute in question it is evident that there is serious dispute about the claim of the petitioner being a resident of the ward which is mandatory for such selection. The Deputy Director has dealt

with the evidence and materials to negate the assertion of the petitioner.

4. This Court in exercise of its power under Article 226 of the Constitution of India cannot sit in appeal over the factual findings recorded by the Deputy Director, Welfare, especially when the findings are not perverse. There is no infirmity in the adjudication as such.

4. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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