

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.823 of 2013**

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1. Deo Kumari Wife Of Sri Deo Karan Mahto Resident Of Village - Patailea, Tola - Wadia, Under Ward No. 11 Of Village Panchayat Raj Patailea, P.S. & Block - Bhibhutipur, District - Samastipur

.... .... Petitioner/s

Versus

1. The State Of Bihar through the Director, Directorate Of Integrated Child Development Scheme (ICDS), Department Of Social Welfare, Government Of Bihar  
2. The District Magistrate, Samastipur  
3. The District Programme Officer, Samastipur  
4. The Child Development Project Officer, Bhibhutipur, District - Samastipur  
5. The Committee Meant For the Selection of Anganwari Sevika for Anganwari Centre Patailea/Wadia, Code No. 154, Through Its Member Secretary, the Child Development Project Officer, Bhibhutipur, District - Samastipur  
6. Rekha Kumari Wife Of Sri Raj Kumar Mahto Resident Of Village - Patailea, Tola - Wadia, Under Ward No. 11 Of Village Panchayat Raj Patailea, P.S. & Block - Bhibhutipur, District - Samastipur

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Thakur

For the Respondent/s : Mr. Rajeev Kr. Singh, GP 2

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**ORAL JUDGMENT**

**Date: 19-08-2015**

Heard counsel for the petitioner and counsel for the State.

Petitioner has assailed the selection of respondent no.6 on the post of Anganbari Sevika. Her challenge has been negated right up till the appellate authority and, therefore, she is challenging the said decision in the present writ application.

The first contention of the counsel for the petitioner that the selection of the private respondent is barred or in contravention of clause 4.12 of the guidelines of 2011 is a misplaced submission in

view of the fact that the selection of the respondent was made on 9.6.2010 when this guideline was not in place.

The other submission is that the private respondent has been given undue weightage for Intermediate marks but petitioner was denied that benefit. In addition, this petitioner is also physically handicapped.

Since the petitioner's so-called qualification is under cloud and after due verification, the institution in question could not be located or identified with regard to the Intermediate degree of the petitioner, therefore, there was no occasion to give any kind of weightage to her. Not only that since there is no separate reservation for physically handicapped which the petitioner asserts she is, there is no material to show or support such a contention. There is no irrationality in the adjudication made by the authorities in favour of the private respondent.

Writ has no merit. It is dismissed.

**(Ajay Kumar Tripathi, J)**

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