

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10812 of 2013

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Jay Rani Kumari W/O Chandrakant Prasad Resident Of Village- Manoharpur, P.S.-
Birupur, District- Lakhisarai

.... Petitioner/s

Versus

1. The State Of Bihar Through The District Magistrate, Lakhisarai
2. The Director, I.C.D.S., Bihar, Patna
3. The District Programme Officer, Lakhisarai
4. The C.D.P.O. Barahia, Lakhisarai
5. The Ward Member Of Ward No. 05 Girdharpur Gram Panchayat, Barahia,
Lakhisarai
6. Smt. Sati Kumari W/O Bodhan Mahto R/O Vill.- Manoharpur, Ps- Birupur Dist.-
Lakhisarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, adv.
For the Respondent/s : Mr. Najrul Huda Khan, S.C.18
Mr. Harun Quareshi, A.C. to S.C. 18

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 21-04-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

2. In this case, the petitioner is challenging the appointment of
respondent No.6 as Anganbari Sevika. This matter relates to
appointment of Anganbari Sevika of Centre No.24, under Girdharpur
Gram Panchayat.

3. Claim has been made by the petitioner that she is working
as Sahaika having an experience in that work as well as she has a



better qualification than to the private respondent, but in utter disregard to the Rules and Regulations, the respondent No.6-Smt. Sati Devi has been appointed, but during the pendency of the writ application, it was found that Smt. Sati Kumari was selected on the basis of forged and fabricated Mark-sheet in her place one Jyoti Mehta has been appointed. Still the petitioner submits that she has a better qualification as well as working experience, but she has wrongly been placed at Serial No.3 in the merit list.

4. Learned counsel for the petitioner submits that he has filed an application, raising her grievance about her non-selection, before the District Programme Officer, Lakhisarai, but has not taken any cognizance and the matter is still pending.

5. In view of the aforesaid submission, if the petitioner has filed any application before the District Programme Officer, Lakhisarai, he is obliged to act in terms of the Executive Instructions of the State Government and decide the matter in accordance with law after giving proper hearing to Smt. Jyoti Mehta. The petitioner is directed to implead Jyoti Mehta as a party before the District Programme Officer. The District Programme Officer, Lakhisarai, is directed to dispose of the pending representation of the petitioner within a period of three months from the date of receipt/production of

a copy of this order.

6. With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

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