

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

**Civil Writ Jurisdiction Case No.19691 of 2015**

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1. Anita Devi, Wife of Chandan Singh Yadav, resident of Village- Kariram, P.S.- Nuaon, District- Kaimur (Bhabua).

.... .... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Social Welfare Department, Government of Bihar.

2. The Director I.C.D.S., Social Welfare Department, Patna.

3. The District Magistrate/Collector, Kaimur at Bhabua.

4. The District Programme Officer, Kaimur at Bhabua.

5. The Child Development Project Office, Nuaon, Kaimur at Bhabua.

6. The Block Development Officer, Nuaon, Kaimur at Bhabua.

7. Khurshid Dhobi, Son of not known, Ward member, Akoli Panchayat, Nuaon, Kaimur.

8. Arti Devi, Wife of Sandesh Kumar, resident of Village- Kariram, P.S.- Nuaon, District- Kaimur (Bhabua).

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Vivekanand Singh, Adv.

For the Respondents : Mr. Ghanshyam Sharma, AC to GA-7

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL JUDGMENT

**Date: 05-01-2016**

Heard learned counsel, appearing on behalf of the petitioner, and learned AC to GA-7, appearing on behalf of

the respondents-State of Bihar.

**2.** The present writ application, under Article 226 of the Constitution of India, has been filed seeking quashing of an order, dated 21.09.2015, passed by the District Programme Officer, Kaimur, Bhabua, in Misc. Appeal No.01/2014-15, whereby, he has rejected the petitioner's claim for consideration of her appointment to the post of Aanganwadi Sevika of Aanganwadi Centre No.27, Kariram II, in the district of Bhabua, and instead allowed the claim of respondent No.8 for appointment.

**3.** From the impugned order, I find that the District Programme Officer has come to specific finding that out of total population of 822 of the feeder area of the concerned Aanganwadi Centre, 469 belonged to Extremely Backward Class. Appointment to the post of Aanganwadi Sevika is to be indisputably made from amongst the candidates of the class, which is most populous in the feeder area concerned. Respondent No.8 belongs to Extremely Backward Class, whereas, the petitioner belongs to Backward Class, which is not the most populous Class in the area covered by the concerned Aanganwadi Centre.

**4.** Learned counsel, appearing on behalf of the petitioner, has disputed the findings recorded by the District Programme Officer, Kaimur, Bhabua, to the effect that

population of Extremely Backward Class persons is 469 and that of Backward Class is 297. He submits that the facts are just the reverse. As a matter of fact, according to him, population of Backward Class is 469 and population of Extremely Backward Class is 297, in the area concerned. He has attempted to make this submission on the basis of electoral roll of the area, which has not been brought on the record.

**5.** Submissions advanced on behalf of the petitioner have not convinced me for the simple reason that the decision of the District Programme Officer is based on the mapping register, according to which, Extremely Backward Class persons are most populous in the concerned feeder area.

**6.** In view of the above, I do not find any reason to interfere with the order under challenge, in a proceeding of judicial review under Article 226 of the Constitution of India.

**7.** This writ application is, accordingly, dismissed.

**(Chakradhari Sharan Singh, J.)**

Praveen-II/-

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