

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6961 of 2008

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Shobha Devi @ Shobha Kumari, wife of Shri Bhavsagar Prasad Verma, resident of Mohalla- Lal Bag, P.S. Sheikhpura, District- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Welfare Department, Govt. of Bihar, Patna.
3. The Director, I.C.D.S., Welfare Department, Govt. of Bihar, Patna.
4. The District Magistrate, Sheikhpura.
5. The District Welfare Officer, Sheikhpura.
6. The Sub-Divisional Magistrate, Sheikhpura.
7. The Block Development Officer, Sheikhpura (Sheikhpura).
8. The Child Development Project Officer, Sheikhpura (Sheikhpura).
9. The Ward Commissioner, Ward No. 10 (New Ward No. 15), Sheikhpura Nagar Parishad, Sheikhpura (Sheikhpura).
10. Priyanka Kumari, wife of Vijay Kumar, resident of Mohalla- Lal Bag, P.S. Sheikhpura, District- Sheikhpura.

.... Respondents

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Appearance:

For the Petitioner : None

For the Respondents : Mr. Harish Kumar, GP-8

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-06-2017

The present writ petition has been filed for a direction to the respondents for appointment of the petitioner on the post of Anganwari Sahayika of Ward No. 15, Sheikhpura Nagar Parishad, Sheikhpura and for quashing the appointment of respondent no. 10 to the said post.

2. None appears on behalf of the petitioner despite repeated calls. By order dated 19.03.2015, the petitioner was granted time on her prayer for filing interlocutory application for amendment of prayer, which however does not appear to have been done till date.



3. Learned counsel for the respondent State submits that the claim of the petitioner for appointment as Anganwari Sahayika could not be entertained as she did not fulfill the eligibility criteria in terms of paragraph-3 (Gha) of Marg Darshika Niyamavali, 2006 which guides the process of appointment of Anganwari Sevika and Anganwari Sahayika. Learned counsel for the State submits that the petitioner was required to furnish residential certificate in support of her residence within the Mohalla or Tola of the Anganwari Centre and that her name or the name of her husband should be enrolled in the voter list of the concerned Mohalla or Tola. It has specifically been stated in paragraph-5 of the counter affidavit filed on behalf of the respondent nos. 4 to 8 that the petitioner failed to submit her residential certificate nor caste certificate with her application, rather her photo identity card submitted by her clearly showed her to be a resident of Chakdiwan Mohalla and as such she was not fit to be considered for the appointment of Anganwari Sahayika for the concerned Anganwari Center. It is further stated that on the complaint filed by the petitioner, the Collector has considered the matter and passed a speaking order dated 21.01.2008 (Annexure-C to the counter affidavit), rejecting the claim of the petitioner for her appointment as Anganwari Sahayika.

4. Having heard learned counsel for the State and on consideration of the materials on record, this Court does not find any merit in the present writ petition. The facts stated in the counter



affidavit have not been controverted by the petitioner as no rejoinder thereto has been filed. The order of the Collector dated 21.01.2008 does not also appear to have been challenged by the petitioner and hence the same has attained finality.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.07.2017
Transmission Date	N.A.

