

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13891 of 2008

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Shabana Tabassum,, wife of Md. Reyazuddin, resident of Mohalla Abgila (South), Kalal Toli, Gram Panchayat, Baragandhar, Manpur Block, P.S. Mufassil, District Gaya.

.... Petitioner

Versus

1. The State of Bihar
2. The Director, Department of Social Welfare, Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Gaya.
5. The Deputy Development Commissioner, Gaya.
6. The District Programme Officer, Gaya.
7. The District Welfare Officer, Gaya.
8. The Child Development Project Officer, Manpur Block, District Gaya.
9. The Mukhiya of Baragandhar Gram Panchayat, Manpur Block, District Gaya.
10. Shaheena Parween, wife of S. Neyaz Ahmad Quadri, resident of village Baliyari, P.S. Wazirganj, District Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mr. Md.Gheyasuddin Khan, Advocate
For the Respondent No.10: Mr. Harshvardhan Shivsundaram, Adv.
For the State : Mrs. Binita Singh,
Mr. Nishant Kumar Jha,

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-11-2017

The present writ petition has been filed for quashing part of the proceedings of the meeting of the Gram Sabha dated 26.04.2007 in which the private respondent no. 10 had been selected as Anganwari Sevika in respect of Anganwari Kendra, Abgila South.

2. Learned counsel for the petitioner submits that after due enquiry it was found that irregularities have been committed in selection of Anganwari Sevika of Anganwari Kendra, Abgila South and



accordingly recommendation had been made by the District Programme Officer, Gaya for cancelling the selection made. It is submitted that the private respondent no. 10 had been selected despite the fact that she was a daughter of the beneficiary area of the Anganwari Kendra and hence not eligible to be selected. It is submitted that the petitioner is a daughter-in-law of the beneficiary area of the Kendra and ought to have been selected for appointment.

3. Learned counsel for the respondent no. 10 appears and opposes the writ petition submitting that as a matter of fact she was married to Mr. S. Neyaz Ahmad Quadri of the same village who had settled permanently in the said village since long. It is therefore, submitted that the respondent no. 10 is equally a daughter-in-law of the beneficiary area of the Anganwari Kendra.

4. Having heard learned counsel for the parties and on consideration of the materials on record, this Court is not inclined to interfere in the matter. The respondent no. 10 claims to be a daughter-in-law of the beneficiary area of the Kendra since before her selection as Anganwari Sevika which fact has not specifically been controverted in the rejoinder filed by the petitioner. Prima facie, a copy of the voters' list enclosed with the counter affidavit supports her stand of being a daughter-in-law of the beneficiary area of the Kendra in question. This Court, therefore, does not find any infirmity in the decision of the Gram Sabha taken in its meeting dated 26.04.2007.



5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Chandran/BT

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