

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19679 of 2010

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Manorama Kumari wife of Suraj Narayan Sahu, resident of village-Ekhari,
P.O. Ekhari, P.S. Ladania, District-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Patna
2. The Commissioner-cum-Secretary, Social Welfare Department,
Government, Government of Bihar, Patna
3. The Director, Social Welfare Directorate, Indira Bhawan, Patna
4. The District Magistrate-cum-Collector, Madhubani
5. The Block Development Officer, Block Ladania, District-Madhubani
6. The Child Development Project Officer (C.D.P.O.) Ladania, P.S. and
Anchal Ladania
7. Mr. Surya Narayan Singh, Ex-Mukhiya Gram Panchayat Sevak, Ekhari,
P.S. Ladania, District-Madhubani
8. Mr. Hari Nandan Mandal, Gram Panchayat Sevak, Ekhari, P.S. Ladania,
District-Madhubani
9. Gita Kumari wife of Upendra Sahu, resident of Ekhari, P.O. Ekhari, P.S.
Ladania, District-Madhubani
10. The Commissioner, Darbhanga Division, Darbhanga

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Barun Kumar Choudhary

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

4 26-06-2018 The present petition has been filed for quashing the order

dated 07.9.2010 passed by the Commissioner, Darbhanga

Division, Darbhanga, whereby and whereunder the appeal filed by

the petitioner has been dismissed.

The only issue which arises for consideration in the

present case is as to whether the petitioner can be appointed on the

post of Anganwari Sevika when her own relative i.e. is working on



the post of Sahayika from before.

I have perused the records and heard the learned counsel for the petitioner and it is clear from paragraph no. 10 of the counter affidavit filed by the respondent no. 6 as also from the order of the Commissioner, Darbhanga Division, Darbhanga dated 07.09.2010 that according to the guidelines contained in letter dated 27.09.2005 issued by the Social Welfare Department as also the one issued by the I.C.D.S. vide letter no. 2783 dated 03.10.2006, the Anganwari Sevika and Sahayika of a centre cannot be relative of each other. However, in the present case the petitioner herein, who has been selected as Anganwari Sevika, is relative of the Anganwari Sahayika, who is working since before and is not a part of the impugned selection process, hence no relief can be granted to the petitioner herein.

Moreover, the persons mentioned in the Aam Sabha register are the relatives of the petitioner and last but not the least, though the centre is reserved for Scheduled Caste candidate, still the petitioner was appointed despite she not being a Scheduled Caste candidate.

For the reasons mentioned hereinabove, there is no merit in the present writ petition. Accordingly, the same is dismissed.

(Mohit Kumar Shah, J)

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