

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.386 of 2016

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Ranjit Kumar Raja @ Ranjit Kumar son of Sri Ramesh Prasad resident of
Village- Mansi Tola, Gochhari, P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Deputy Director, Welfare Department, Munger
Commissionary, Munger.
2. The Deputy Director, Welfare Department, Munger Commissionary, Munger
3. The District Magistrate, Khagaria
4. The District Programme Officer, Khagaria
5. The Child Development Project Officer, Gochhari, Khagaria.
6. Smt. Pinki Kumari wife of Bibhuti Prakash, resident of Village- Mansi Tola,
Gochhari, P.S.- Gogri, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vikram Singh, Adv. Mr. Dhananjay Kumar Singh, Adv.
For the State		Mr. Lokesh Kumar Singh, AC to AAG 13

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 06-02-2018 Heard learned counsel for the petitioner and the State.

The petitioner is aggrieved by the appointment of the private respondent on the post of Aanganwari Sevika at Centre No. 39, situated at Mansi Tola, Gochhari, Block Gogri in the district of Khagaria and the ground for challenge is that the husband of the private respondent is working as a teacher since 2007 and her father-in-law is a dealer under the Public Distribution System, since 1993.

Although the complaint of the petitioner was allowed by the District Programme Officer, Khagaria, but in an



appeal preferred by the private respondent, the Deputy Director, Welfare Department, Munger, vide order dated 07.08.2015 in Case No. 105/2014, has upset the order to uphold the appointment of the private respondent, inter alia, on grounds that there was no such stipulation present in the guidelines in force regulating the appointment of Aanganwari Sevika in the year 2003 when the private respondent had been appointed.

I have heard the learned counsel for the parties and perused the records.

The guidelines dated 10.12.2003 present in the compendium supports the opinion of the Deputy Director, Welfare. There was no such restriction as complained, imposed on such appointment at the relevant time which was introduced for the first time in the guidelines dated 03.10.2006 wherein the candidate related to a public representative, a government servant or a dealer under the Public Distribution System, was held ineligible and disqualified for such appointment.

There is nothing on record of the proceeding to disqualify the appointment of the private respondent in the



year 2003. Since the guidelines in force in the year 2003 did not put any such bar, the order passed by the Deputy Director, Welfare put to challenge herein suffers no infirmity to require any interference.

The writ petition is dismissed.

(Jyoti Saran, J)

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