

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 1303 of 2015

=====

Usha Kumari wife of Sanjay Ram resident of village - Matkipur, P.S. - Dhansoi,
District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Deputy Director, Welfare, Patna Division, Patna.
3. The District Programme Officer, Buxar.
4. The Sub Divisional Officer, Buxar.
5. The Senior Deputy Collector cum Incharge Officer, Rajpur, Buxar.
6. The Child Development Project Officer, Rajpur, Buxar.
7. Mamta Kumari wife of Rajesh Choudhary resident of village - Matkipur, P.S. - Dhansoi, District Buxar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr Lal Babu Singh, Advocate
For the S t a t e : Mr Md Harun Quareshi, AC to SC I
For Respondent No 7 : Mr Jai Prakash Singh, Advocate

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 01-05-2018

Heard the learned counsel for the petitioner,
State as also respondent No 7.

2 The writ petition has been filed for quashing the order dated 29.11.2014 passed by the Deputy Director (Welfare), Patna Division, Patna on the Angan Bari Appeal No 90 of 2014 whereby the appeal filed by respondent No 7 has been allowed and the order passed by the District Programme Officer regarding the petitioner's selection as Angan Bari Sevika for Centre No 195 under Matkipur Panchayat has been cancelled.



3 Writ petitioner has challenged the order passed in appeal by stating that though respondent No 7 was not the applicant for the Centre in question, she has been selected even though she was inferior in merit to the petitioner. The State Government has placed on record its stand. Counter affidavit has been filed on behalf of respondents No 3 to 6. Specific stand of the State is that even though respondent No 7 had given an application for Centre No 195 but due to mistake, the same was included in Centre No 194 in place of Centre No 195. Reference is also made to the receipt issued to respondent No 7 in respect of her application for Centre No 195. Therefore, the case of the petitioner that respondent No 7 had not applied in Centre No 195 has been falsified in the order passed in Angan Bari Appeal No 90 of 2014 impugned in the instant writ petition. It is also the stand of the State Government that Centre No 195 was meant for appointment from the extremely backward caste category as that was the dominant/majority caste in the Centre. The petitioner belongs to Scheduled Caste.

4 In view of such stand, petitioner, being Scheduled Caste candidate, is also ineligible for selection as Angan Bari Sevika of Centre No 195 which is meant for extremely backward caste category. The above noticed facts have been considered in the order dated 29.11.2014 impugned in the instant writ petition.



5 The order, therefore, requires no interference. The writ petition is devoid of any merit and is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.05.2018
Transmission Date	NA

