

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1610 of 2019

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Ranju Devi, Wife of Sanjay Prasad Yadav, D/o Yogendra Rai, R/o Village-
Baltharwa, P.S.- Pipra Kothi, Panchayat- Bathna, Block- Kotwa, Distt.- East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare
Department, Govt. of Bihar, Patna.
2. The Director, I.C.D.S. Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran.
4. The District Programme Officer, I.C.D.S., East Champaran.
5. The Child Development Project Officer, Block- Kotwa, Distt.- East
Champaran.
6. The Lady Supervisor, Block- Kotwa, Distt.- East Champaran.
7. Smt. Rubi Devi, Wife of Dinesh Yadav, R/o Village- Baltharwa, P.S.-
Pipra Kothi, Panchayat- Bathna, Block- Kotwa, Distt.- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Respondent/s : Mr. Gyan Prakash Ojha (GA7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 30-01-2019

The petitioner, who had applied for being
appointed as Anganbari Sevika in Panchayat Bathna, was
placed in the merit-list at Serial No. 1, but she was not



offered appointment and the private respondent No. 7 was issued the appointment letter.

2. The learned counsel for the petitioner submits that the only reason for bypassing the claim of the petitioner is that her father-in-law is in government service, dis-entitling her from being appointed as Anganbari Sevika in accordance with the rules of 2016 framed in that regard. He submits that even though it was made known to the concerned authority that the petitioner has been deserted by her husband and is living separately, her candidature was not accepted for her not having furnished any definite proof of the aforesaid assertion of her having been deserted by her husband or her living separately with her husband.

3. In any view of the matter, the learned counsel for the petitioner has submitted that the petitioner shall be satisfied if she is given the liberty to represent her case before the District Programme Officer, I.C.D.S., East Champaran (respondent No. 4) for demonstrating before him that she has been living separately and the aforesaid disqualification of her father-in-law being in government



service, would not be applicable to her.

4. Under the circumstances, the petitioner is permitted to represent afresh before the District Programme Officer, I.C.D.S., East Champaran within a period of three weeks from today.

5. The District Programme Officer, I.C.D.S., East Champaran shall dispose off that representation within a period of six weeks. If at all, the claim of the petitioner is found to be tenable, then before passing any order, the private respondent No. 7 shall also be afforded hearing and, thereafter, a reasoned order shall be passed within the aforesaid period.

6. With the aforesaid observation and direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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Transmission Date	N/A

