

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.521 of 2019

=====

Punam Kumari wife of Sri Ajay Kumar, Resident of Mohalla- Maharajganj,
Ward No- 14, P.S. Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Social Welfare Department, New Secretariat, Patna.
3. The Director, I.C.D.S. Bihar, Indra Bhawan, Boring Canal Road, Patna.
4. The District Collector, Aurangabad.
5. The District Programme Officer, Aurangabad.
6. The C.D.P.O. Rafiganj, Aurangabad.
7. Soni Kumar wife of Sri Ranjit Kumar Resident of Mohalla Maharajganj
Pathak Tola Ward No- 11, P.S. Rafiganj, District- Aurangabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Prithivi Raj Singh, Advocate
For the Respondent/s	:	Mr. Sunil Kumar Mandal -Sc3
		Mr. Neelam kumar, AC to SC3
		Mr. Bipin Kumar, AC to SC3

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-07-2019 Heard the parties.

Relying upon electricity bill and some rent receipts,
issued by the Nagar Panchayat, Rafiganj, the petitioner has
assailed the candidature of the private respondent no.7. It is
alleged by the petitioner that from the said two documents, it is
evident that respondent no.2 was not resident of Ward No. 14
wherein she has been declared successful in the process of
selection of Anganbari Sevika. The petitioner submits that since
the private respondent was not eligible, her selection should be



cancelled and in her place the petitioner ought to have been selected. Claim of the petitioner was considered by the District Programme Officer in Anganwari Appeal Case No. 33 of 2015, the same has rejected. The petitioner thereafter moved before the court of Collector in Anganwari Appeal Case No. 06 of 2016, which has also been rejected. These two orders are assailed in the instant proceeding.

State counsel submits that the only requirement in respect of residence is residential certificate issued by the Circle Officer. Documents relied upon by the petitioner are *per se* not sufficient to sustain the objection as residence is to be determined by a certificate issued by the Circle Officer which has been submitted by the respondent no.7. The said fact has also not been disputed by the petitioner's counsel.

With regard to the aforesaid submissions, this Court would express that there is force in the submission of the State counsel.

The electricity bill and rent receipts which have been brought on record by the petitioner cannot discredit the residence certificate issued by the Circle Officer (respondent no.7).

The petition is devoid of merit and the same is



dismissed.

(Madhuresh Prasad, J)

A.K.V./
S. Katyayan/-

U			
---	--	--	--

