

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4197 of 2019

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Rinki Kumari, wife of Krishna Kumar Gupta, resident of Village and Post
Office- Babhani, Police Station- Karghar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director, Integrated Child Development Scheme, Govt. of Bihar, Patna.
4. The District Programme Officer, Sasaram.
5. The Child Development Project Officer, Kargahar, District Rohtas at
Sasaram.
6. Kusum Kumari, Wife of Satendra Prasad, resident of Village- Babhani,
Police Station- Karghar, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv
For the Respondent/s : Mr. Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 06-03-2019

The petitioner has approached this Court for
setting aside the order dated 27.07.2018 issued under the
signature of the District Programme Officer, Sasaram
contained in Letter No. 493 whereby private respondent No.
6 has been directed to be appointed as *Anganbari Sevika* in
Anganbari Centre Babhani South, Ward No. 6, Block-
Kargahar in the District of Rohtas.

2. It is the case of the petitioner that in the merit
list which was prepared by the *Aam Sabha*, the name of the



petitioner fell at Serial No. 4 whereas private respondent No. 6 was placed at Serial No. 2. The candidates at serial Nos. 1 and 3 were found to be overage and hence, their candidature was bypassed.

3. Considering the aforesaid facts and inputs, the District Programme Officer, Sasaram directed for appointment of private respondent No. 6, who was the most suitable candidate, according to him as she was placed at Serial No. 2 in the merit list.

4. Mr. Shashi Bhushan Kumar, learned advocate for the petitioner has submitted that such appointment letter does not take into account that the educational certificates offered by private respondent No. 6 is forged and fabricated and without taking this fact into account, the order of the District Programme Officer, Sasaram cannot be sustained in the eyes of law. A complaint also has been made by the petitioner before the District Programme Officer, Sasaram which has yet not been acted upon.

5. Under the aforesaid circumstances, this Court deems it appropriate to direct the petitioner to make a fresh



complaint against the appointment of respondent No. 6 on the post of *Anganbari Sevika* before the District Programme Officer, Sasaram within a period of four weeks from today. On receipt of such complaint/representation, the District Programme Officer, Sasaram shall, after enquiry and after affording hearing to the petitioner as also to the private respondent No. 6 and other stake holders, pass a reasoned order within a period of six weeks thereafter.

6. Should the petitioner remain still dissatisfied, she shall have the forum of appeal against the order of District Programme Officer before the District Magistrate, Rohtas at Sasaram for the needful.

7. With the aforesaid observation and direction, the writ petition is disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08/03/2019

