

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6622 of 2015

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Smt Savitri Devi, Wife of Shri Ram Babu Prasad. Resident of village - Kako,
Tola Bhelu Bigha, P.S.- Kako, Dist.- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Director, ICDS, Welfare Department, Indira Bhawan, 02nd Floor, Bihar, Patna
2. The District Magistrate, Jehanabad.
3. The District Programme Officer, Jehanabad.
4. The Child Development Officer, Kako, Dist.- Jehanabad.
5. The Block Development Officer, Kako, Jehanabad.
6. Mukhiya Kako, Purvi village Panchayat, P.S.- Kako, Dist.- Jehanabad.
7. Panchayat Secretary, Purvi Gram Panchayat, P.S.- Kako, Dist.- Jehanabad.
8. Smt Shashikala Devi, Wife of Shri Ashok Thakur, Resident of village - Kako, Tola Bhelu Bigha, P.S.- Kako, Dist.- Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Satya Ranjan Sinha, Advocate
For the Respondent/s	:	Mr Gyan Prakash Ojha, GA VII with
	:	Mr Gopal Krishna, AC to GA VII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 02-04-2019

Heard learned counsel for the petitioner and the respondent-State.

The petitioner has challenged the order dated 26.10.2013 of the District Programme Officer, Jehanabad rejecting the petitioner's objection filed in respect of appointment of Angan Bari Sevika for the Belubigha Center in the district of Jehanabad. She has also assailed the order of the Appellate Authority dated



08.01.2015 rejecting the appeal filed by the petitioner. The petitioner's allegation is that the Center was predominantly comprised of backward caste and, therefore, the selection should have been made from the backward class. It is alleged that she had made her application but ignoring her claim, the selection of respondent No 8 has been made who is a candidate of extremely backward caste. The claim of the petitioner has been considered by the District Programme Officer. According to the order passed by him as well as the order passed by the Deputy Director (Welfare), Magadh Division, the process of selection was completed on 27.02.2002. The Center was comprised of the majority of members of the Scheduled Caste. There was no application filed by the said category and, as such, as per the extant Departmental Circular dated 13.06.1998 bearing Memo No 1129, the next category was given preference. Respondent No 8, being in the next category, that is extremely backward class, was, therefore, selected. The specific case of the respondents is that after about 8 years of the said selection, the petitioner has challenged the selection and claimed that in place of respondent No 8, she should have been selected.

Claim of the petitioner is belated as is apparent from the facts. Apart from that, this Court would observe that in her



application filed before the Authorities in the year 2010, she has not brought on record anything to support her claim regarding the Center being predominantly comprised of backward caste candidates. The Authorities, in the two orders, have also considered the fact that due to the long lapse of time, it was not possible now to ascertain the composition of the area for which the Center in question was established long back. Consideration of the Authorities is detailed and does not require any interference by this Court.

Writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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