

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12015 of 2014

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Rinki Kumari wife of Sri Shashikant Singh Resident of Taregna Gola, P.S.
Masaurhi, District – Patna ... Petitioner

Versus

1. The State Of Bihar
 2. The Principal Secretary, Welfare Department, Govt. of Bihar, Patna
 3. The Director, ICDS, Welfare Department Govt. of Bihar, Patna
 4. The Divisional Commissioner, Patna Division, Patna
 5. The Collector, Patna
 6. The District Programme Officer, Patna
 7. The Sub - Divisional Magistrate, Masaurhi, Patna
 8. The Deputy Collector Land Reforms, Masaurhi, Patna
 9. The Child Development Project officer, Masaurhi, District - Patna
 10. The Chairman, Masaurhi Nagar Parishad, Masaurhi, Patna
 11. Selection Committee through its Chairman cum Ward Counselor, Ward No. 7,
Masaurhi Nagar Parishad, Patna
 12. Sudha Kumari wife of Akhilesh Kumar Singh Resident of Taregna Gola, P.S.
Masaurhi, District – Patna Respondents
- =====

Appearance :

For the Petitioner : Mr. Bajarangi Lal, Advocate
For the Respondents : Mr. Rakesh Kr. Shrivastava, AC to GP 15

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Order dated 9.2.2011 passed by the Collector, Patna
cancelling petitioner's selection as Anganbari Sevika from
Center No. 88 in Ward No. 7 of Nagar Parishad, Masaurhi and
directing for selection of respondent no.12, has been challenged
by the petitioner. She has also challenged order of the Divisional
Commissioner, Patna Division, Patna on her Misc. Appeal
No.91 of 2012 preferred against order of Collector, Patna, since
the same has also been rejected by the Divisional
Commissioner.



Learned counsel for the petitioner submits that respondent no.7 was having her name mentioned in the electoral roll at two different places, namely, Usman Chak and Masaurhi Nagar Parishad. On account of such infirmity in her candidature respondent no.12 was not eligible for consideration and as such orders have wrongly been passed allowing her selection to the Anganbari center in question.

Respondent State referring to averments made in the counter affidavit has submitted that the petitioner as well as respondent no.12 have earlier approached this Court. After series of litigation, matter has finally been decided after a report submitted in the matter by the DCLR, Masaurhi. The report reveals that name of respondent no.12, who was admittedly the first empanelled candidate has been deleted from the voter list of Usmanchak prior to the selection process pursuant to which the selection in question has been made.

In view of aforesaid situation, candidature of respondent no.12 was not suffering with any disqualification on account of her name being entered at two different places in the voter list. Accordingly, respondent no.12 could not be deprived of selection in question.

Aforesaid position has not been disputed or denied by



learned counsel for the petitioner by filing any re-joinder to the counter affidavit. In the facts of the case, this Court does not find any occasion to interfere with the impugned orders, passed by the authorities.

Writ petition is devoid of merit and is dismissed.

(Madhuresh Prasad, J)

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