

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5490 of 2019**

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Sulochna Kumari W/o Anil Kumar, Resident of Village- Gidrahi, P.S.- Pipra,  
Panchayat- Kataiya Mahe, under Block Pipra, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Chairman Integrated Child Development Scheme (I.C.D.S.), Punaichak Patna (Bihar).
3. The District Magistrate, Supaul.
4. The District Programme Officer, Supaul.
5. The Child Development Project Officer, Pipra, Supaul.
6. Ladies Supervisor, Kataiya Mahe, Ward no. 9, Pipra, Supaul.
7. Mamta Kumari W/o Chandrashekhar Azad, Resident of Village- Gidrahi, P.S. Pipra, District- Supaul.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr.Shambhu Sharan Singh, Adv. |
| For the Respondent/s | : | Mr. S.K. Mandal (SC-3)        |
|                      |   | Ms. Neelam Kumari, AC to SC-3 |

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL JUDGMENT**

**Date : 10-04-2019**

Heard the counsel for the petitioner and the  
  
State.

The petitioner has challenged the order dated  
  
14.08.2018 passed by the District Magistrate, Supaul in  
  
Anganwari Appeal No. 8/2017 whereby the order passed  
  
by the District Programme Officer, Supaul which has  
  
been challenged by the petitioner before the Collector



has been upheld and the appeal of the petitioner has been rejected.

From the order impugned, it appears that private respondent no. 7 was appointed on the post of Anganwari Sewika on Centre no. 54 in Ward no. 9 in the Kataiya Mahe Panchayat. Right from the beginning, the petitioner had been agitating that two of the sisters-in-law of private respondent no. 7 are employed with the government and are getting more than Rs. 6,000/-.

The aforesaid facts were verified and was found to be only partially true. The two sisters-in-law of the petitioner and another relative were found to be in government service but all of them were receiving less than Rs. 6,000/- as remuneration. The rules in that regard which has been amended in the year 2013 clearly stipulate that the disqualification for the relatives being in government service would be applicable only if such government servants are drawing salary of more than Rs. 6,000/- per month. The aforesaid facts were verified



and found that on the day when the appointment was made, the relatives of private respondent no. 7 were receiving less than Rs. 6,000/-. The District Magistrate Supaul, while disposing the appeal, also took note of the fact that earlier also the merit list which was prepared was torpedoed because of the petitioner having made misleading statements with respect to her being the resident of the same/concerned area. Though the learned counsel appearing for the petitioner, on instructions from the husband of the petitioner who is present in the court room, made a statement that the petitioner hails from the concerned area, but the order impugned clearly spells out that the petitioner, apart from not being a resident of the concerned area has also used two dates of birth for her employment as an Asha worker on which post she is already working and for Anganwari Sewika for which she has applied and has failed to secure appointment.

In any view of the matter, the major part of the



objection of the petitioner against the candidature of  
respondent no. 7 having been found to be untrue, this  
court is not inclined to interfere with the order of the  
Collector dated 14.08.2018.

For the aforesaid reasons, the petition is  
dismissed.

**(Ashutosh Kumar, J)**

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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