

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 8122 of 2015

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Mina Kumari wife of Ganpat Kumar Singh resident of village Sunha Hat Gaon, Ward No. 14, Gram Panchayat Chilhaniya P.S. Terahgachh District araria.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Commissioner-cum-Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Director, ICDS, Patna District, Patna.
3. The Regional Development Officer, Commissioner Office, Purnea.
4. The Joint Commissioner-cum-Secretary, RTA, Purnea Commissioner District Purnea.
5. The District Magistrate, Kishanganj.
6. The District Programme Officer, Kishanganj District Kishanganj.
7. The Child Development Project Officer CDPO, Teragachh P.S. Teragachh District Kishanganj.
8. Anita Devi wife of Anjan Kumar Singh Resident of village Suhiyahat gaon, Post Matiri, P.s. Taragachh District Kishanganj.

... .. Respondent/s

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For the Petitioner/s	:	M/s Md Ziaul Quamar, Manish Kr, Advocates
For the Respondent/s	:	Mr Kumar Alok, SC VII
		Mr Rakesh Kumar, AC to SC VII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 17-07-2019

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

2 Petitioner is aggrieved by rejection of her candidature for selection as Angan Bari Sevika in Ward No 14, Gram Panchayat – Chilahaniya, Block + PS – Teragachh in the district of Kishanganj.

3 Specific stand in the counter affidavit is that anticipating that the Extreme Backward Class would constitute majority in the process of selection, petitioner obtained a Caste



Certificate certifying her to be Member of the Extremely Backward Caste Category in the year, 2006. Subsequently, when the selection was done in the year, 2011 and the Backward Class constituted the majority in the Mapping Area, she obtained another certificate certifying her to be Backward Caste candidate.

4 This position is admitted by the petitioner's counsel on facts, but he submits that it was not on account of fraud, but by mistake.

5 The admitted fact even if the motive is not admitted is enough to sustain the order of the Authorities. When a candidate has two different caste certificates certifying her of two different castes, the Authorities would not have been justified in relying any one till such time, there is declaration by a competent authority as to which is the correct caste certificate.

6 Rejection of petitioner's claim, therefore, does not require any interference.

7 Writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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