

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13106 of 2014

Indu Sinha Wife of Sri Shailendra Prasad Resident of Village - Chhato, PO -
Tetrawan, P.S. - Manpur, District - Nalanda.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Welfare Department, Govt. of Bihar, Patna.
3. The Director, I.C.D.S., Government of Bihar, Patna
4. The Deputy Director, Welfare, Patna Division, Patna.
5. The District Magistrate, Nalanda at Biharsharif.
6. The District Programme Officer, Nalanda at Biharsharif.
7. The Child Development Project Officer, Biharsharif Rural, Nalanda.
8. Dina Singh Son of Late Sri Ram Singh Resident of Village - Chhato, PO -
Tetrawan, P.S. - Manpur, District - Nalanda.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP 14

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2019 Heard learned Counsel for the petitioner and the
learned Counsel for the respondent State.

The petitioner has challenged order of the District Programme Officer, Nalanda dated 21.11.2013 whereby petitioner's selection as Anganwari Sevika for Center No. 160 at Village Chhato in Gram Panchayat Pawa of the district has been cancelled. The Deputy Director Welfare has also affirmed the said order in Anganwari Appeal No. 111 of 2013-14. Both orders have been challenged by the petitioner.

Petitioner's Counsel submits that since the petitioner



was a Graduate, she was entitled to be granted bonus point on account of her being Intermediate as well as Graduate. By adding bonus marks on both parameters she was entitled to more bonus marks than what was granted to daughter in law of respondent No. 8 who was also a candidate and was just Intermediate pass.

The other ground which have been urged is that the petitioner being overage she could not have been disqualified in view of direction dated 25.4.2011 passed in CWJC No. 4910 of 2008 in her favour.

The third issue which has been raised is that the authorities in the enquiry have found that husband of the petitioner was employed in a Government aided College and therefore candidature of the petitioner was disqualified.

Petitioner's Counsel submits that husband of the petitioner is no longer in service therefore on this count he assailed the order passed by the authorities as being unsustainable.

The orders clearly reveal that at the time of application the petitioner had only submitted Intermediate qualification. Having regard to the discrepancy to the extent that in the merit list petitioner has been awarded bonus points on



account of Intermediate as well as Graduation when she had applied only as Intermediate candidate, authorities have concluded that award of bonus marks on both counts was not sustainable. Husband of the petitioner was admittedly employed in Government aided College. The fact that now he is not in employment any more cannot enure to the benefit of the petitioner.

Having regard to the aforesaid facts this Court is not inclined to interfere with the impugned orders.

The writ petition is dismissed.

(Madhuresh Prasad, J)

SNkumar/-

U			
---	--	--	--

