

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8317 of 2019

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Simpi Kumari, wife of Dayanand Rajbansi, daughter of Vijay Rajbansi,
resident of Village- Dhaniawa, P.S.- Nardiganj, Distt.- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Welfare Department, Bihar
2. The District Magistrate, Nawada
3. The Block Development Officer, Nardiganj, Distt.- Nawada
4. The Child Development Project Officer, Nardiganj, Distt.- Nawada
5. Project Officer, Nardiganj, Nawada
6. Mahila Parwachhika Bal Bikas Pariyojna, Nardiganj, Nawada
7. Smt. Sheela Kumari, wife of Sri Subodh Paswan, resident of Pokharpur (Dhaniawa), P.S.-Nardiganj, Distt.- Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Tiwary, Advocate
For the Respondent/s : Mr. Ashit Kumar Jha, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 21-06-2019

Heard Mr. Amarendra Nath Tiwary, learned advocate for the petitioner and Mr. Ashit Kumar Jha, learned AC to GP-2.

2. The petitioner is aggrieved by the appointment of private respondent No. 7 as *Anganbari Sevika* in Dhaniawan *Panchayat* in Ward No. 5 in the District of Nawada on the ground that the appointment letter has been issued to her on the basis of forged matriculation



certificate.

3. The petitioner was also an applicant for such post and in the merit list and she was placed second to private respondent No. 7 who was adjudged the most suitable candidate. A complaint has been duly registered by the petitioner before the District Programme Officer, Nawada on 27.09.2018 regarding the forged certificate offered by the private respondent No. 7 which became the basis for her appointment on the said post.

4. The aforesaid complaint has not yet been disposed of.

5. A representation has also been made by the petitioner before the District Magistrate, Nawada but no administrative order has been passed by him as well directing the District Programme Officer, Nawada to conclude the proceeding and pass a final order on the complaint of the petitioner.

6. Mr. Ashit Kumar Jha, learned advocate for the State has pointed out that on the complaint lodged by



the petitioner, the District Programme Officer has asked for a report from the Bihar School Examination Board regarding the genuineness of the matriculation certificate of private respondent No. 7. A reminder letter also has been made to the Bihar School Examination Board for sending its report but till date no communication has been received by the District Programme Officer from the Bihar School Examination Board.

7. Mr. Jha, learned advocate therefore submits that unless the report is received by the District Programme Officer, there could not be any effective adjudication of the complaint of the petitioner.

8. Under the aforesaid circumstances, this Court directs the District Programme Officer, Nawada to communicate with the Bihar School Examination Board regarding the report referred to above and intimate that such communication is being made under the orders of the High Court. No sooner the report is received, the District Programme Officer shall proceed to hear the



matter and after affording hearing to all the stake holders, more particularly the petitioner and private respondent No. 7, conclude the proceeding and pass an order in accordance with law, preferably within a period of three months of the production of a copy of this order. Should the petitioner feel aggrieved by the order passed by the District Programme Officer, Nawada, she would have the liberty to challenge the aforesaid order before the District Magistrate, Nawada.

9. With the aforesaid observation/direction, the writ petition stands disposed of.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24/06/2019

