

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17417 of 2011

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Gunjan Devi W/O Sheoshankar Mehta R/O Of Vill. Gokulpur P.S. K. Nagar,
Distt. Purnia

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Social Welfare,
Patna.
2. The Director Social Welfare Department, Govt. Of Bihar, Patna
3. The Commissioner Purnia
4. The Distt. Magistrate Purnea
5. Deputy Development Commissioner Purnea
6. Sub -Divisional Officer Purnea
7. The Executive Magistrate, Purnea
8. The Block Development Officer K. Nagar, Purnea, Distt-Purnea
9. The Child Development Project Officer, K.Ngar, Purnia
10. Smt Geeta Devi W/O Sushil Paswan R/O Vill. Gokulpur, P.S. K. Nagar,
Purnea, Distt-Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bam Bahadur Jha, Advocate
For the Respondent/s : Mr.Dinesh Maharaj, AC to AAG-11

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 14-10-2019

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

2. The writ petition has been filed challenging the order



passed by the Collector on 19.07.2010 cancelling the selection of the petitioner as *Anganbari Sahayika*. The appeal of the petitioner preferred against the order has also been dismissed by the Commissioner, Purnea Division on 15.12.2010, which is also impugned in the instant proceedings.

3. The petitioner has assailed the selection of respondent no.10 as *Sahayika* for the centre in- question. The petitioner is a member of the Backward Class-II category, whereas the private respondent no.10 is a Scheduled Caste candidate.

4. Clause 4 of the I.C.D.S. guidelines of 2006 contemplates that in appointment of '*Aanganbari Sahayika*' preference has to be given to S.C./S.T. candidates. Since respondent no.10 was an available S.C. candidates for the selection process, the authorities have rightly preferred the selection of respondent no.10 in place of the petitioner. The objection of the petitioner regarding respondent no.10 being married outside the nutrition area of the *Aanganbari* Centre in- question has also been considered by the Commissioner, and on the basis of relevant facts, the issue has been decided in favour of the respondent no.10 since her husband was living in the area of the centre in-question and also employed within the area. The '*Basgit Parcha*' has also been issued in favour of the



husband of respondent no.10. Therefore, these findings of fact fully substantiate the decision of the Commissioner and requires no interference in the instant proceedings.

5. The writ petition is, accordingly, dismissed.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	18.10.2019
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