

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13265 of 2014

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Babita Kumari wife of Sri Manoj Rai Resident of village - Devapur, P.S. Barauli, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Deputy Director, Welfare, Saran Division-cum-Second Appellate Authority at Chapra.
3. District Programme Officer , Gopalganj First Appellate Authority
4. The Child Development Officer, Barauli, District - Gopalganj.
5. The Selection Committee, through its President of Gram Panchayat Devapur, P.S. Barauli, District Gopalganj
6. Smt. Mita Devi wife of Shanjeev Kumar Singh Resident of village - Devapur, P.S. Barauli, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Baidyanath Prasad
For the State	:	Mr. Pramod Kumar Singh, AC to SC 16
For private respondent	:	Mr. Ranjeet Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 09-07-2019 Heard counsel for the petitioner and counsel for the respondents-State as well as counsel for private respondent.

Writ petition has been filed for quashing the order dated 23.07.2014 issued by respondent no.2 in Anganbari Appeal no. 46/2013 whereby the order passed by the first appellate authority on 13.08.2013 in Appeal no. 02/2013 has been set aside and selection of the petitioner as directed under order of the first appellate authority has been set aside. Respondent no.2 in the order dated 23.07.2014 has directed that the selection be done by giving weightage on account of physical handicap claimed by respondent no.6.

The facts which are evident from the record are that merit list of the selection in question was published on 27.01.2012. Aam



Sabha was conducted on 01.02.2012 for considering the merit list. On that date, certificate of physically handicapped was submitted by private respondent. Claim of the private respondent was rightly negatived by the first appellate authority on account of the same having been submitted belatedly on 01.02.2012. Records further reveal that on 10.04.2012 no Aam Sabha was conducted and as such selection of instant petitioner on 10.04.2012 was also not in accordance with guideline for the purpose of selection.

Order of the Deputy Director, Saran division to the extent it directs for fresh selection does not require any interference.

Let selection be done by the respondent-authority expeditiously and without any undue delay.

Writ petition is disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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