

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 12188 of 2014

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Seema Devi, Wife of Ranjan Tewari, resident of village – Permanpur, P.O.-
Amehta, P.S.- Dawath, District- Rohtas at Sasaram, At present Posted as
Anganbari Sevika of Centre Premanpur (Rohtas)

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Social Welfare, Bihar, Patna
2. The Principal Secretary, Department of Social Welfare, Bihar, Patna
3. The Divisional Commissioner, Patna Division, Patna
4. The District Magistrate- cum- Collector, Rohtas at Sasaram
5. The District Programme Officer, Rohtas at Sasaram

... .. Respondent/s

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For the Petitioner/s	:	Mr Mukesh Kr Jha, Advocate
For the Respondent/s	:	Mr Sita Ram Yadav, GP XVI

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 06-05-2019

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

2 Petitioner has filed the writ petition claiming the quashing of the order dated 16.07.2013/12.08.2013 passed by the Divisional Commissioner, Patna Division whereby Appeal No 379 of 2012 filed by the petitioner has been rejected. The same was preferred against the selection list prepared by the District Programme Officer dated 08.08.2012 for selection of Lady Supervisor against 25% quota for the Angan Bari Sevikas.



3 Learned counsel for the petitioner submits that since the petitioner was having the degree of Up Shastri from Kameshwar Singh Darbhanga Sanskrit University, her claim had been rejected in spite of the fact that the same is recognized as per decision of the Human Resource Development Department of the Government of Bihar in Notification dated 26.03.2009.

4 Respondents have placed on record their counter affidavit. Specific reliance has been placed on Resolution of the concerned Department, namely, Social Welfare Department which is dated 10.06.2010 wherein the guidelines for selection of the Lady Supervisor has been prescribed. Clause (iv) 1 (ka) of the said Guidelines clearly bars the qualification of the petitioner. The claim of the petitioner, therefore, cannot be sustained on the basis of the Notification dated 26.03.2009 issued by the Human Resource Development Department which is recognizing the said degree for a different purpose.

5 Guidelines dated 10.06.2010 issued by the concerned Department under which the selection of Lady Supervisor for discharge of social welfare scheme was to be done, bars the claim of the petitioner based on the Up Shastri Degree. There is no reason for this Court to interfere with the order assailed in the instant writ petition.



6 Writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.05.2019
Transmission Date	NA

