

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15893 of 2019

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1. Aarti Kumari, female, aged about 24 years, Wife of Rakesh Ranjan, Resident of Village- Pama, Ward No.9, P.S.- Sour Bazar (O.P. Patarghat), District- Saharsa.
 2. Rakesh Ranjan, male, aged about 27 years, Son of Satyanarayan Mandal, Resident of Village- Pama, Ward No.9, P.S.- Sour Bazar (O.P. Patarghat), District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
2. The Director ,I.C.D.S., Department of Social Welfare, Government of Bihar, Patna.
3. The Divisional Commissioner, Koshi Division, Saharsa.
4. The District Magistrate, Saharsa.
5. The District Programme Officer (I.C.D.S.), Saharsa.
6. The Block Development Officer Patarghat, District- Saharsa.
7. The Child Development Project Officer (C.D.P.O.), Patarghat, District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Adv.
For the State	:	Md. Binay Kumar, AC to SC-10
For the Intervenor	:	Mr. Sharda Nand Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 14-08-2019

Re. I.A. No. 1 of 2019 :

For the reasons stated in the aforesaid
interlocutory application, the same is allowed.

2. Let intervenor/petitioner be impleaded as



party respondent No. 8 to C.W.J.C. No. 15893 of 2019.

Re. C.W.J.C. No. 15893 of 2019 :

The petitioners have approached this Court for a direction to the concerned authorities for making necessary correction in the mapping register of Ward No.-9 in Gram Panchayat Raj-Pama, in the District of Saharsa.

2. Mr. Pramod Mishra, learned Advocate for the petitioners has submitted that certain complaints were made by the petitioners and others before the concerned C.D.P.O. regarding defect in preparation of the mapping register. Such complaints were forwarded to the District Programme Officer for making needful correction in the process.

3. However, it appears on the averments made by the intervenor/respondent No. 8, who has filed aforesaid I.A. No. 1 of 2019, the District Programme Officer directed for a house-to-house (door-to-door) assessment of the area by a 5-Member Committee and submit a report for further action/declaration. The team, so constituted by the District Programme Officer, held the area concerned to be dominated by backward class people.



4. The petitioners have objection to such declaration of the area being dominated by backward caste people as according to them, it should be declared as extremely backward class (E.B.C.) category being dominant class in the concerned area.

5. It further appears from the materials brought on record by the intervenor/respondent No. 8 that the process of selection was begun and the petitioners have been placed below one Swati Kumari. The apprehension in the mind of the petitioners is that since the area concerned has already been declared to be backward caste dominated, their claim would stand frustrated if any person of backward class category is placed before them.

6. The further objection of the petitioners is that at the time of preparation of mapping register, the complaints which were made by them and others before the concerned C.D.P.O. were never redressed.

7. From the perusal of the records, it appears that such contention of the learned counsel for the petitioners is not correct. Once a door-to-door assessment



was made on the orders of the District Programme Officer and the assessment was carried out by a team of 5-Members, it would be presumed that the complaints of the petitioners were taken note of. There is no requirement under the Guidelines in that regard of letting the petitioners know about their complaints or any other complaint, with respect to preparation of mapping register, having been redressed or not.

8. In any view of the matter, if the petitioners would stand aggrieved by the selection of any other candidate, be it on ground of wrong declaration in the mapping register or on other grounds, it would be open for them to challenge such appointment before the concerned C.D.P.O. afresh. In the aforesaid challenge, if at all it is made, even the issue on faulty preparation of the mapping register could be agitated

9. The occasion has not come now for the petitioners to agitate for any relief before this Court.

10. Under the aforesaid circumstances, this Court only observes that in case the petitioners feel



aggrieved by the result of the appointment process, after its conclusion, it would be open for them to challenge the same before the C.D.P.O. of the concerned block.

11. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.08.2019
Transmission Date	N/A

