

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17784 of 2019

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Kumod Kumari alias Kumud Kumari, W/o Sri Binod Kumar, Resident of
Village Balaha, P.S.- Parsauni, Distt.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna
3. The Director Integrated Child Development Scheme, Welfare Department, Govt. of Bihar, Patna
4. The Collector, Sitamarhi
5. The District Programme Officer, Integrated Child Development Scheme, Sitamarhi
6. The Child Development Project Officer, Parsauni, Distt.- Sitamarhi
7. The Mukhiya, Gram Panchayat Raj Bishunpur Dema, P.S.- Parsauni, Distt.- Sitamarhi
8. The Panchayat Sachiv, Gram Panchayat Raj Bishunpur Dema, P.S.- Parsauni, Distt.- Sitamarhi
9. Asha Kumari, W/o Sri rajiv Raman Singh, Resident of Village Balaha, P.S.- Parsauni, Distt.- Sitamarhi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. V.R.P. Singh, Advocate
For the Respondent/s : Mr. Gyan Shankar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-10-2019 Heard learned counsel for the parties.

2. The petitioner has put to challenge an order dated 19.03.2019, passed by the Collector, Sitamarhi in Appeal No. 35 of 2015 whereby he has refused to interfere with an order dated 10.05.2014, passed by the District Programme Officer, Sitamarhi in Case No. 09 of 2014.



3. The facts of the case are short, for the purpose of present adjudication, and are not in dispute. The matter arises out of selection process for appointment of *Anganwari Sevika* pursuant to an advertisement issued on 30.03.2007. 09.04.2007 was, admittedly, the last date for submission of application form. 'Pass' in Intermediate examination on the last date of submission of application form, was the minimum educational qualification prescribed in the advertisement for the said post. On the last date of advertisement i.e. 09.04.2007 the petitioner was admittedly not having the Intermediate qualification. She acquired the said qualification on 31.05.2007. The petitioner had raised her grievance thereafter and the dispute raised by the petitioner continued to be considered this way or that way before the authorities. Finally, the impugned order has been passed by the Collector, Sitamarhi on the merits of her case.

4. Learned counsel appearing on behalf of the petitioner has submitted that *Aam Sabha* was held for considering selection of *Anganwari Sevika* on 19.06.2007. He has referred to Clause-6(viii) of 2006 Guidelines issued for selection of *Anganwari Sevika/ Sahayika* to contend that since the petitioner had acquired the said qualification one week before holding of *Aam Sabha*, her candidature could not have



been rejected on the ground that she was not having such qualification on the last date of submission of application form as prescribed in the advertisement. He contends that it was wrongly prescribed in the advertisement inviting applications that 09.04.2007 should be the last date of submission of application form, as according to him the last date of submission of application form should have been one week prior to holding of *Aam Sabha*.

5. The submission made on behalf of the petitioner is wholly misconceived. A process of selection is governed by the terms of advertisement. It was clearly mentioned in the advertisement that 09.04.2007 was the last date of submission of application form and a person must hold the minimum eligibility qualification as on the last date of submission of application form.

6. I do not find any merit in this application. It is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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