

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1025 of 2015
In
Civil Writ Jurisdiction Case No.4358 of 2015

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Veena Kumari, wife of Sri Niranjan Kumar, resident of Village- Murade, PS- Haveli Kharagpur, District- Munger.

... Petitioner ... Appellant/s

Versus

1. The State of Bihar.
2. The Director, I.C.D.S. Social Welfare Department, Government of Bihar, 2nd Floor, Indira Bhawan, Patna.
3. The Commissioner, Munger Division, Munger.
4. The District Magistrate, Munger.
5. Deputy Director, Welfare, Munger Division, Munger.
6. District Programme Officer, Munger.
7. Child Development Project Officer (in short C.D.P.O.), Haveli Kharagpur, District- Munger.
8. Anjali Kumari, wife of Sri Ajay Yadav, resident of Village- Murade, PS- Haveli Kharagpur, District- Munger.

... Respondents ... Respondent/s

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Appearance :

For the Appellant/s : Mr. Subodh Chandra Jha, Adv.

For the Respondent/s : Mr. S.D. Yadav, AAG-9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)
Date : 03-01-2019

We have heard the parties and perused the records.

This appeal arises from a judgment and order dated 24.03.2015 of a learned Single Judge passed in CWJC No.4358 of 2015, whereby the writ petition has been dismissed.

The matter relates to appointment of Anganwari Sevika for the Centre No.278, Murade Panchayat in the district of Munger. While it is not in dispute that the private respondent figured at serial no.1 of the merit list, the appellant appeared at serial no.2 with lesser marks and it is because the father of the appellant-writ petitioner held a Government post that by invoking Clause 4.9 of the guidelines regulating the appointment of Anganwari Sevika issued by the



department of Welfare she was held disqualified and the private respondent no.8 was appointed.

It is now being canvassed by the appellant-writ petitioner that the marks-sheet produced by the private respondent was forged and that she has not secured 65% marks.

The pleadings on record would confirm that the complaint of the appellant-writ petitioner as regarding the marks-sheet produced by the private respondent was examined by the statutory authority at each level and was upheld until the appellate authority i.e. the Deputy Director, Welfare, Munger who vide order passed on 10.02.2015 in Case No.23 of 2014 on examination of the rival contentions has been pleased to dismiss the complaint.

The learned Single Judge having examined the issue on the materials present has dismissed the writ petition and even this Court is not persuaded to interfere with the opinion expressed by the learned Single Judge.

The appeal is dismissed.

(Jyoti Saran, J)

(Arvind Srivastava, J)

skpathak/-

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