

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22255 of 2019

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Sudha Kumari, aged about 26 years, Female, Wife of Devendra Roy, resident of Village Sarmastpur, P.O. Vishanpur Saide via Chaksikander, P.S. Rajapakar, District Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Additional Director General of Police, Vigilance Investigation Bureau, Bihar, Patna.
4. The Director, Integrated Child Development Scheme, Bihar, Patna.
5. The District Magistrate, Vaishali.
6. The District Programme Officer, Vaishali at Hajipur.
7. The Child Development Project Officer, Rajapakar, Vaishali.
8. The Lady Supervisor, Child Development Project, Rajapakar, Vaishali.
9. The Ward Member, Ward No. 13, Gram Panchayat Raj, Bakarpur, Block- Rajapakar, Vaishali.
10. Rina Kumari, Wife of Umanath Roy, resident of Village- Sarmastpur, P.O.- Vishanpur Saide via Chaksikander, P.S.- Rajapakar, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Pankaj
For the Respondent/s : Mr.Md. Raisul Haque (Sc10)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-12-2019 Heard both sides.

The petitioner filed this writ petition for quashing the the decision of Aam Sabha held on 02.11.2018 in which the respondent no.10 was selected on the post of Anganwari Sevika in Ward No.13, Centre No.173, situated in Bakarpur Gram Panchayat of Block Rajapakar, Vaishali.

Learned counsel for the petitioner submits that from



perusal of the merit list prepared by Aam Sabha, Rina Kumari was placed at serial no.1 in the merit list as she obtained 69% marks in matriculation or equivalent examination. The name of the petitioner, Sudha Kumari appeared at serial no.4 in the merit list and she obtained 63.4% marks. It is further submitted that from perusal of the resolution of Aam Sabha, it transpired that names of Rinku Kumari, serial no.2, Rina Kumari, serial no.3, Pushpa Kumari, serial no.6, Sindhu Kumari, serial no.7 and Savita Devi, serial no.8 were placed in the merit list. Nibha Devi, serial no.9 did not appear in the meeting of Aam Sabha and thus, the name of the petitioner should be at serial no.2 in the merit list. It is further submitted that Rina Kumari, who was placed at serial no.1 in the merit list, got her certificate from Jharkhand State Open School Board. The petitioner sought information from the Education Department of the State of Jharkhand and the Information Officer-cum-Under Secretary of Secondary Education, Jharkhand, Ranchi by letter no.166, dated 10.04.2019 informed that Jharkhand State Open School Board is not a recognized institution and, therefore, the selection of Rina Kumari for appointment on the post of Anganwari Sevika is illegal. The petitioner filed petition before the D.P.O., Vaishali on 30.07.2019 and the same is still pending.



Directives with regard to the selection and appointment of Anganwari Sevika and Sahayika, there is a provision to file complaint before the D.P.O. against the process of selection and illegality committed by the Selection Committee. Thereafter the appeal is provided before the Collector against the order of the D.P.O.

In this view of the fact, since the petitioner has already filed complaint before the D.P.O., Vaishali on 30.07.2019, I dispose of this writ petition with a direction to the D.P.O., Vaishali to hear the petitioner and other concerned candidates and pass order in accordance with law within four months from the date of receipt of this order.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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