

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23633 of 2019

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Noorjahan Begum, wife of Md. Alamgir, resident of Village- Kochaili,
Panchayat- Tauli, Ward No. 4, P.O. and P.S.- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme I.C.D.S.J., Bihar, Patna.
3. The District Magistrate-cum- Collector, Purnea.
4. The District Programme Officer (I.C.D.S.), Purnea.
5. The Sub- Divisional Officer, Dagraua, District- Purnea.
6. The Child Development Project Officer (C.D.P.O.), Dagraua, District- Purnea.
7. Bibi Rizwana, wife of Iftkhar Alam, resident of Village- Kochaili, Panchayat- Tauli, P.S.- Dagarua, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Uma Shankar Prasad Singh, Adv.
For the Respondent/s : Ms.Kumari Amrita (GP-3)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-11-2019 Heard learned counsel for the parties.

2. An order dated 13.08.2019, passed by the District Magistrate, Purnea in Service Appeal No. 78 of 2018, whereby the petitioner's appeal has been rejected, is under challenge in the present writ application. The said appeal was filed against an order dated 11.10.2018, passed by the District Programme Officer, Purnea whereby the petitioner's selection as *Anganbari Sevika* for *Anganbari* Centre No. 4, under Tauli Gram Panchayat



in the district of Purnea was held to be illegal on the ground that she had submitted a forged document relating to the voter-list.

3. It appears that the petitioner was selected for the post on her claim that she was resident of ward No. 4. There is a finding recorded by the District Programme Officer that using forged voter-list, in connivance with the lady supervisor, the petitioner got herself selected for the post. There is concurrent finding of the District Programme Officer and the District Magistrate, Purnea to the effect that name of the petitioner does not figure in the last voter-list of the concerned panchayat, for Ward No. 4 and the document, which she had presented at the time of her selection, was forged. Further, there is specific finding that the petitioner is resident of Ward No. 5.

4. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner's name has been wrongly entered in the last voter-list as resident of Ward No. 5, for which she has filed an objection.

5. Learned GP-3 appearing on behalf of the State of Bihar has submitted that for a candidate to be eligible for selection as *Anganbari Sevika* of a particular centre, her name must figure in the mapping register and the voter-list of last panchayat election. She contends that since the petitioner had



committed fraud by presenting a forged document of her name in the voter-list of last panchayat election, her application deserves to be rejected on the said ground alone.

6. Since there is concurrent finding by the two statutory authorities to the effect that the petitioner is not resident of Ward No. 4, which was *sine qua non* for selection against the post of *Anganbari Sevika* of the concerned *Anganbari* Centre, I am not inclined to entertain this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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