

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8034 of 2020

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Neha Kumari wife of Mantu Kumar Resident of ward no 1 Gram- Goriyar,
P.S. Goriar, District- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Purnia, Bihar.
2. The District Magistrate, Purnia, Bihar.
3. The District Programme Officer, Purnia, Bihar.
4. The Child Development Project Officer, Rupoli, Purnia.
5. Smt. Sagnita Kumari wife of Avinash Kumar Mahatho Resident of
Panchayat- Gorihar Ward No 1 P.S. Tikapati, District Purnia.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra
For the Respondent/s	:	Md. Raisul Haque (SC-10)
For Pvt. Respondent (Respondent No.5)	:	Mr. Mithilesh Kumar Upadhyay, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 03-03-2022

Heard learned counsel for the parties.

In the instant petition, petitioner has prayed for the
following relief/reliefs:

*“(i) For quashing the order
contained in memo no. 55 dated
19.01.2018 issued under the signature
of respondent District Programme
Officer Purnia where by and where
under the complain filed by
respondent no.5 was entertained and
direction was given to select
respondent no.5 as anakanwari sevika*



at Gorirar Panchayat East Ward no.

01 P.S. Tikapatti,

District Purnia and at the same time

the case of the petitioner was rejected

for selection on the post of Anganawari

Sevika on the ground that the husband

of the petitioner was minor at the

time of marriage with the petitioner.

(ii) For quashing the order

dated 13.03.2020 passed by the

district magistrate Purnia in service

appeal no.30 of 2018 where by and

where under the appeal was rejected.

(iii) For direction up the

respondent authorities to consider the

case of the petitioner for selection as

Anganwari Sevika at ward no.3

Panchayat Goriyar East, Rupoli.

(iv) Any other order or orders

as your Lordships may deem fit and

proper in the facts and circumstances

of the case be granted to the



petitioner.”

Short question for consideration in the present petition is whether petitioner is eligible for the post of Anganwari Sevika as on 30th August, 2017 or not. One of the condition for rejection of application for Anganwari Sevika is that applicant's mother-in-law should not have been engaged in service. Undisputedly, petitioner's mother-in-law was in service as on 30th August, 2017. Even though petitioner's mother-in-law submitted resignation application on 26.09.2017 and it was accepted on 04.10.2017, what is required to be taken note of for the purpose of eligibility is the last date of submission of application and it is stipulated as 30th August, 2017.

In the light of these facts and circumstances, as on 30th August, 2017, petitioner's mother-in-law was in service. Accordingly, petitioner's claim was rightly rejected. Hence, no interference is called for.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.03.2022
Transmission Date	NA

