

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1562 of 2021

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Khushbu Kumari Wife of Sonu Sharma Resident of Village- Mirchaiganj,
P.S.- Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, Integrated Child Development Services (ICDS), Bihar Patna.
3. The District Magistrate, Nalanda at Bihar Sharif.
4. The District Programme Officer, Nalanda at Bihar Sharif.
5. The Child Development Project Officer, Noorsarai, Nalanda.
6. Smt Soni Kumari Wife of Shri Chandrabhushan Kumar Resident of Village- Mirchaiganj, Post- Mirchaiganj, P.S.- Noorsarai, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate
For the State : Mr. Rajesh Kumar, AC to GP-3

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

Date : 06-04-2022

Heard learned counsel for the parties.

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

*“This is an application for issuance of
a writ in the nature of Certiorari or any
appropriate writ’s, order’s, direction’s
commanding the Respondents for following
reliefs-*

*I. For quashing of the order vide
memo no. 1029 dated 29-06-20 passed by
the District Programme Officer, Nalanda in
Second Appeal No. 07/20 where by and
where under without given any notice or
opportunity for hearing to the petitioner,*



violating the natural justice selection and appointment of the petitioner as Anganbari Sevika for Ward No. 2, Anganbai centre 160, Panchayat – Mamurabad, Block-Noorsarai, District- Naland has been cancelled and direction has been given for appointment to the private respondent after seventh month regularly performing duty.

II. For direction the respondents to immediate reinstate to the petitioner as Anganbai Sevika for Ward No. 2, Anganbai centre 160, Panchayat – Masurabad, Block-Noorsarai, District- Nalanda with all consequential benefits and for other order or direction in the facts and circumstances of the case in the interest of justice.”

Petitioner is a candidate for recruitment to the post of Anganbari Sevika. Short question for consideration is whether the petitioner's matriculation certificate obtained through Jharkhand State Open School (Annexure-2) is a recognized institution or not?

Learned counsel for the State-respondents submitted that in the list of recognized Boards/Councils in India-2019, name of the Jharkhand State Open School is not reflected. Further, State-respondents have made correspondence with the Jharkhand Government to get information that whether



the Jharkhand State Open School is recognized institution or not? The Jharkhand government has sent a report stating that Jharkhand State Open School is not one of the recognized institution.

Learned counsel for the petitioner submitted that in terms of Annexure-1, the Jharkhand State Open School is not listed, therefore, one has to draw inference that Jharkhand State Open School is one of the recognized institution.

In the light of the above facts and circumstances, the contention of the petitioner that Jharkhand State Open School is a recognized institution cannot be accepted. Therefore, he is not qualified for the selection and appointment to the post of Anganbari Sevika.

Hence, the writ petition stands dismissed.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.04.2022
Transmission Date	NA

