

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2201 of 2021

Arti Kumari @ Arti Devi, Wife of Amarkant Singh, Resident of Village-Gogahara, Post Office-Gori, Police Station-Karagahar, District Rohtas (Sasaram), Pin Code 821107.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social, Bihar, Patna.
2. The Director, Integrated, Child Development Scheme (ICDS), Department of Social Welfare, Government of Bihar, Patna.
3. The Deputy Director, Department of Welfare, Patna Division, Patna, Bihar.
4. The District Magistrate, Rohtas at Sasaram.
5. The Civil Surgeon, District-Rohtas at Sasaram.
6. The District Programme Officer (ICDS), Rohtas at Sasaram.
7. The Child Development Project Officer, Block-Kargahar, Rohtas.
8. The Mahila Supervisor, The Child Development Project Officer, Block-Karagahar, Rohtas.
9. The Chairman-cum-Ward Member, Sevika-Sahayika Selection Committee, Anganbari Centre, Gogahara, Centre No. 174, Ward No. 12, under Gram Panchayat Araruan, Block-Karagahar, District-Rohtas (Sasaram).
10. The Vice Chancellor-cum-Ward Panch, Sevika-Sahayika Selection Committee, Anganbari Centre, Gogahara, Centre No. 174, Ward No. 12, under Gram Panchayat Araruan, Block-Karagahar, Rohtas.
11. The Secretary, Member-cum-Mahila Supervisor, Sevika-Sahayika Selection Committee, Anganbari Centre No. 174, Ward No. 12, under Gram Panchayat Araruan, Block-Karagahar, Rohtas.
12. The Selection Committee, Anganbari Centre No. 174, Ward No. 12, under Gram Panchayat Araruan, Block-Karagahar, Rohtas.
13. Bharati Kumari @ Bharati Devi (Anganbari Sevika, Centre No. 174, Ward No. 12), Wife of Jokhan Bhagat, Village-Gogahara, Post Office-Gori, Police Station-Karagahar, District-Rohtas, Pin Code-821107.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate
For the Respondent/s : Mr. Prashant Pratap, GP-2

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

Date : 27-01-2022

The matter is heard via video conferencing due to



circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accept notice for Respondent Nos. 1 to 12. Service of notice to 13th respondent, namely, Bharati Kumari @ Bharati Devi is dispensed since no adverse order is passed in the present petition.

3. In the instant petition, petitioner has prayed for following reliefs:-

“1. That the petitioner craves indulgence of this Hon’ble Court for issuance of inappropriate writ in the nature of mandamus to appoint the petitioner on the basis of fact shown in to remove the private respondent no. 13 from the post of Anganbari Sevika and appoint the petitioner on the next candidate in merit list the for appointment of Anganbari Sevika in the Centre No. 174 Ward no. 12 Village-Gogahara, Gram Panchayat-Ararvan Block-Karagahar District-Rohtas (Sasaram) in which the petitioner has been placed at 2nd position in the merit list by respondents on the basis of weightage of 5% for forged certificate of handicapped which contains different date of birth and has been given with a motive to get benefit of reservation and has been released at violation of guideline.

For issuance of direction upon the respondents to dispose of the representation dated 09.01.2020 before Respondent no. 04 and representation dated 21.01.2020 before Respondent no. 05 in accordance of rule and guideline provided by Ministry of Social Justice and Empowerment Notification, New



Delhi, 1 June, 2001 which provides guideline to mark percentage of handicapped in a certificate.

Also prays for grant of relief or reliefs to which the Hon’ble Court finds the petitioner entitled to.”

4. Concerned respondent is hereby directed to decide the petitioner’s grievance in accordance with law after giving due ample opportunity of hearing to 13th respondent- Bharati Kumari @ Bharati Devi and petitioner. The above exercise shall be completed within a period of three months from the date of receipt of this order.

5. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

