

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21014 of 2021

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Anjuman Aara @ Anjum Aara Wife of Md. Shahjahan, Resident of Village -
Titawari, P.S.- Barari, District - Katihar.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer
Protections Department, Bihar, Patna.
2. The Commissioner, Purnea Division, Purnea.
3. The Collector-cum-District Magistrate-cum-Chairman of District Selection
Committee, Katihar.
4. The District Supply Officer, Katihar.
5. The Sub-Divisional Officer, Katihar.
6. The Block Supply Officer, Barari, District - Katihar.
7. Asma Khatoon, Wife of Javed Akhtar, Resident of Village and P.O.-
Jagdishpur, P.S. Barari, District - Katihar.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Respondent/s : Mr. Upendra Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 21-02-2022

Heard Mr. Shivendra Prasad, learned Advocate

for the petitioner and Mr. Upendra Pratap Singh for the
State.

The petitioner seeks quashing of the resolution
dated 10.07.2020 of the District Selection Committee of
PDS Dealers, whereby respondent no.7 has been



recommended for being granted licence as she has better academic qualification than the petitioner.

It is the contention of the petitioner that respondent no.7 belongs to the backward class but she has been recommended under the unreserved category of women.

The respondent no.7 appears to have stolen march over the petitioner on the ground of her having higher qualification of Maulvi (Intermediate), whereas the petitioner has only Faukaniya, which is equivalent to matriculation.

Incidentally the petitioner as well as respondent no.7, both, have working knowledge in computer. However, in accordance with the Rules, preference had been given to respondent no.7 because of her higher qualification of Intermediate.

The recommendation is not on the basis of any reservation and there is no rationale for non-suiting the respondent no.7 only because she happens to be a woman



from the backward category. Her candidature has been considered not in any reserved category but on the ground of her qualification being superior to the petitioner.

There is no merit in this writ petition and is, accordingly, dismissed but without costs.

(Ashutosh Kumar, J.)

(Anjani Kumar Sharan, J.)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
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