

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4314 of 2023

=====

Kusum Kumari @ Kusum Devi Wife of Lalmohan Ram, resident of Village-
Lahiyapur, P.S.- Mali, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Social Welfare Department, Government of Bihar, Patna, District- Patna.
2. The District Magistrate, Aurangabad, District- Aurangabad.
3. The Additional Collector-cum- Additional District Magistrate, Aurangabad, District- Aurangabad.
4. The District Programme Officer, Aurangabad, District- Aurangabad.
5. Chandrakanta Devi, Wife of Harendra Ram, resident of Village- Bardiha, P.S.- Navi Nagar, District- Aurangabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Adv
For the Respondent/s : Mr. S.K. Mandal (Sc3)
Mr. Bipin Kumar, AC to SC-3

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner's selection as 'Anganwari Sevika' was interfered with on account of the claim being made on the basis of a certificate of the requisite educational qualification of 10th pass issued by the 'All India Council for Open Education'. The same is an unrecognized institution, as per stand of the respondents.

3. Learned counsel for the petitioner submits that the certificates (Annexure-1 series) submitted by the petitioner is a valid certificate, in view of Resolution in the General



Administration Department dated 01-10-2019 (Annexure-4). The Resolution being relied upon is the 'Resolve' of the State Government to recognize and honor certificates issued by the Open Institutions established by the Central Government or the State Government/s. It is not a Resolution specifically recognizing the 'All India Council for Open Education' from which the petitioner claims to have acquired the requisite educational qualification. It is also not the petitioner's case that the Institution has been established by the Union of India or the State Government/s. Reliance placed by the petitioner on Annexure-4 therefore, is clearly untenable.

4. This Court does not find any reason to interfere with the impugned order dated 20-10-2022 (Annexure-6), passed by the learned Additional Collector-cum- Additional District Magistrate, Aurangabad (Respondent No.3) in Anganwari Appeal No. 10/2021 holding her selection to be invalid.

5. The writ petition is dismissed.

(Madhuresh Prasad, J)

shyambihari/-

U			
---	--	--	--

