

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16926 of 2011

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MEERA KUMARI @ MEERA DEVI W/O Anil Pandit R/O Village- Fatehali,
P.S.- Deep Nagar, Post- Tungi, Panchayat Raj- Sakaraul, District- Nalanda

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR and ORS
2. District Magistrate, Nalanda Null Residing At Biharsharif, P.S.- Biharsharif, District - Nalanda
3. District Welfare Officer, Nalanda Null Residing At Biharsharif, P.S.- Biharsharif, District - Nalanda
4. District Programme Officer, Nalanda Residing At Biharsharif, P.S.- Biharsharif, District - Nalanda
5. Child Development Project Officer At Biharsharif Rural Area, P.S.- Biharsharif, District - Nalanda
6. Mukhiya, Gram Panchayat Raj Sakaraul, P.S.- Deep Nagar, District- Nalanda
7. Panchayat Secretary Panchayat Raj Sakaraul, P.S.- Deep Nagar, District - Nalanda
8. Smt. Meena Devi W/O Sri Karu Pandit R/O Village- Fatehali, P.S.- Deep Nagar, P.O.- Tungi, District- Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate
For the Respondent/s : Mr. Nagendra Kumar, AC to AAG-9

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-02-2023

Heard learned counsel for the petitioner and the state.

Petitioner in this case is aggrieved by and dissatisfied with the order dated as contained in Memo no. 169 dated 23.05.2009 passed by the District Magistrate, Nalanda (Annexure-10 to this writ application).

On perusal of the impugned order, it appears that on



receipt of a complaint from one Meena Devi w/o Karu Pandit against the appointment of the petitioner as Aanganwari Sevika, an inquiry was conducted. The Sub-Divisional Officer Biharsharif submitted an inquiry report vide memo No. 565 dated 15.07.2008 (Annexure-9). In his inquiry, he found that the Mukhiya had accepted the application of the petitioner on 01.08.2007 antedated the merit which was already prepared on 29.07.2007. The petitioner was shown in the merit list. He further found that the name of the petitioner was not there in the voter list of the area for which the Aanganwari Sevika was being appointed. In course of inquiry, it was found that the photo was that of one Smt. Rekha Devi which was fraudulently used by the petitioner. The residential certificate was also more than six months old which did not fulfill one of the conditions prescribed in the application.

After receipt of the inquiry report from the Sub-Divisional Officer, the District Magistrate heard the parties. Both the parties appeared before the District Magistrate and placed their respective cases. After hearing them, by a detailed reasoned order the District Magistrate has found that the merit list was antedated by the Mukhiya. The Mukhiya had received the application of the petitioner on 01.08.2007 whereas the



merit list had already been prepared on 29.07.2007. It has further been found that the petitioner had submitted the photograph of another lady in her place which has been seen seriously by the District Magistrate.

In view of the findings recorded by the District Magistrate, Nalanda at Biharsharif in Annexure- '10' to the writ application and the order being one based on reason no plausible ground could be made out to interfere with the impugned order, this Court is of the opinion that it is not a fit case to exercise the extra ordinary writ jurisdiction of this Court.

The writ application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

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