

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.912 of 2019

Swastika W/o Arvind Kumar Resident of Village-Ramunia Babhan
Gawan,P.S. Khagaria,Dist.-Khagaria

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director I.C.D.S., Welfare Department,Patna
3. The District Magistrate, Khagaria
4. The Sub Divisional Officer, Khagaria
5. The Block Development Officer, Khagaria
6. The District Programme Officer, Khagaria
7. The Child Development Pariyojna Officer, Khagaria
8. Panchayat Sachiv, Jahagira Gram Panchayat under Khagaria Block,Khagaria
9. Sangina Kumari W/o Kishore Kumar, Resident of Village-Ramunia Ward No.1,P.S. and Dist.-Khagaria

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Md.Raisul Haque, Sc-16

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-09-2023 Heard the parties.

2. This application has been preferred for issuance of an appropriate writ, order/orders, direction to the respondent authority to quash the order dated 24-07-2018 passed in Anganbari Appeal No. 04/17-18 by the District Magistrate, Khagaria whereby and where under he was pleased to uphold the order dated 28-07-2015 passed in Case No. 01/16 by District Programme Officer, Khagaria by which entire selection process of Anganbari Sewika was cancelled on flimsy and



clumsy ground.

3. The case of the petitioner is that she having requisite qualification, had applied for Anganbari Sewika at Centre No. 49 Ramunia Mushari Panchayat Jahangira Panchayat under Khagaria Block where respondent no. 9 was also an applicant.

4. Though, she got 62% marks and the concerned respondent got 77.14 % marks, as she belonged to Centre No. 50 and not from Centre No. 49, the petitioner was selected and accordingly, selection letter was issued whereafter she joined the office of the C.D.P.O., Khagaria on 05.09.2016.

5. The respondent no. 9 filed Case No. 01/16 before the District Programme Officer, Khagaria pointing out that she had higher marks but was denied the selection.

6. The District Programme Officer, Khagaria after noticing that the area is having majority of SC/ST caste whereas both the petitioner and respondent belong to Backward Caste and there has been irregularity, it directed for fresh selection.

7. Aggrieved, the present petition.

8. The facts are not disputed:

(i) the area belongs to SC/ST majority caste;



(ii) though the petitioner was selected, subsequently, the same was annulled;

(iii) as per the information by the learned Counsel for the respondent no. 9, subsequently, selection process got completed and while both the petitioner and respondent no. 9 are out, those belonging to the majority caste now stands selected.

9. The petitioner do not have any information about the said selection and/or has cared to make the newly appointed lady as party respondent.

10. In that background, no relief can be granted to the petitioner, the selection process have already been concluded, the writ petition stands dismissed.

(Rajiv Roy, J)

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