

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4244 of 2020

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Rina Kumari W/o Sunil Sah, Resident of Village- Raipura, P.S. Khaira, Distt. Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Department of Social Welfare Government of Bihar, Patna.
2. The Principal Secretary, Department of Social Welfare Government of Bihar, Patna.
3. The Director I.C.D.S., Bihar, Patna.
4. The District Magistrate, Jamui.
5. The District Program Officer Jamui.
6. The Child Development Project Officer Jamui.
7. Khusboo Kumari, W/o Shubash Kumar Sah, Resident of Village Raipura, P.S. Khaira, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Vinay Prasad Singh @ Sanjay, Advocate Mr. Vijay Kumar, Advocate
For the Respondent/s	:	Mr. S.K. Mandal (SC-3)
For respondent No.7	:	Mr. Rajesh Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 22-03-2024

Heard learned counsel for the petitioner, learned counsel for private respondent No.7 and learned counsel for the State.

2. The present writ petition has been filed for quashing the order dated 05.11.2019 passed by District Magistrate, Jamui, in Anganbari Appeal Case No.4 of 2018 by which he has set aside the order dated 11.05.2018 passed by the



District Programme Officer, Jamui, in Case No.35 of 2017 and affirmed the selection of respondent Khushboo Kumari as selected in Aam Sabha held on 29.07.2017.

3. Learned counsel for the petitioner submits that the impugned order has been passed by the Collector is not valid due to the reason that at the time of differing from the order passed by the District Programme Officer, Jamui, the Collector has not discussed the law on which the District Programme Officer has decided this case and, therefore, fit to be set aside.

4. Learned counsel for the respondent submits that the order passed by the Collector is very clear in which it has come that the last day on which the application has to be filled up on that very day the petitioner could not obtain the certificate of his EBC category; rather with the help of some staff he has managed to attach his certificate in the application form which came into existence after last date of application and on this ground the Collector has decided the case against the petitioner.

5. After hearing the parties and going through the reasonings given by the order passed by the appellate Court, this Court is of the view that the order passed by the Collector is crystal clear and reason assigned is also very much clear that the



day on which the petitioner has filled up the form, he could not submit his certificate and later on he managed to attached those certificates in the application. The reason is well discussed in the order impugned and in view of the Court there is no need of any interference in the order passed by the Collector. Hence, it is dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.03.2024
Transmission Date	NA

