

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13422 of 2024

=====

Shabana W/o- Md. Shariat Tullah R/o Village- Chakla, Ward No.- 01, Block-
Chhatapur, Village Panchayat- Ghibaha, P.S.- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Koshi Division, Saharsa.
3. The Collector-cum- District Magistrate, Supaul.
4. The District Welfare Officer, Supaul.
5. The District Programming Officer, Supaul.
6. The District Development Commissioner, Supaul.
7. The Child Development Project Officer, Block- Chhatapur, Supaul.
8. The Block Development Officer, Chhatapur, Supaul.
9. Rukhsar Begam @ Rokhsar Begam, W/o- Md. Chhotu Alam R/o Village- Chakla, Ward No.-01, Village Panchayat- Ginaha, Block- Chhatapur, P.S.- Chhatapur, District- Supaul.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Mukul Kumari
For the Respondent/s : Mr. Standing Counsel (10)

=====

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 11-09-2024 The petitioner applied for her appointment as *Anganwadi Sevika/Sahayika*, on the basis of an advertisement published in the year 2020. For the selection of *Anganwadi Seviak/Sahayika*, *Aam Sabha* meeting was held on 31st December 2020. In the said meeting, the petitioner was figured in third position in the merit list. On the contrary, respondent no. 9 was figured at Sl. No. 2.

2. It is contended on behalf of the petitioner that the



name of the respondent no. 9 was Rukhsar Begum@Rokhsar Begum, wife of Md. Chotu Alam, resident of Village-Chakla, Ward No. 01 within Ginaha panchayat of Block-Chhatapur in the District of Supaul. It is alleged by the petitioner that the said Rukhsar Begum submitted two application, one in his own name and another with the birth certificate and academic qualification of her sister whose name was Rukhsana Perveen @ Rukhsana Begum. After selection of respondent no. 09, the petitioner filed an appeal before the District Programme Officer being appeal no. 24 of 2021, wherein, the District Programme Officer held that Rukhsar Begum sometime personnated herself as Rukhsana Perveen and some time as Rukhsar Begum. Therefore, the Child Development Project Officer was directed to made an inquiry as to the date of birth of all the candidates including respondent no. 9 and thereafter, fix one amongst the selected candidates, on the basis of her date of birth. Against the said order, passed by the District Programme Officer on 28th January 2023, one Rukhsana Begum filed a revision before the Divisional Commissioner being Revision Case No. 52 of 2023. In the cause title of the said revision, the name of the applicant was recorded as Rukhsar Begum, but in the order, it is found that the testimonials relating to date of birth and academic qualification



of Rukhsana Begum and Rukhsana Perveen were considered. There is no discussion made by the Divisional Commissioner, Saharsa as to whether the respondent no. 9 Rukhsar Begum, applicant Rukhsana Begum and Rukhsana Perveen are the same and identical persons.

3. In view of such circumstances, the order dated 21st March 2024 is quashed and set aside. The District Programme Officer is directed to re-hear the appeal no. 24 of 2021 to come to a specific finding as to whether the respondent no. 9 filed more one application using the date of birth and academic qualification of her sister or not. On such finding, he will recommend the name of the candidate who is entitled to be posted as *Anganwadi Sevika/Sahayika* in the concerned Block.

4. The instant writ petition is accordingly, disposed of.

5. The District Programme Officer is directed to dispose of the above-mentioned appeal within three months from the date of communication of this order.

(Bibek Chaudhuri, J)

Suraj Dubey/-

U			
---	--	--	--

