

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6512 of 2016

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Mamta Kumari Wife of Binod Kumar, Resident of Village - Majhua Premraj,
Harbhanga, Ward No. 9, Police Station - Sarsi, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, I.C.D.S. Social Welfare Department, Government of Bihar,
Patna.
3. District Magistrate, Purnea.
4. Joint Commissioner-cum-Secretary, Regional Parivahan Authority, Purnea
Division, Purnea.
5. District Programme Officer I.C.D.S. , Purnea.
6. Child Development Project Officer, Banmankhi, District - Purnea.
7. Deputy Collector, Land Reforms, Banmankhi, District - Purnea.
8. Surti Kumari Wife of Ram Kishore Yadav Resident of Village - Manjhua,
Premraj, Harbhanga, Ward No. 9, Police Station - Sarsi, District - Purnea.
9. Baby Kumari, Wife of Daya Shankar Mehta, Resident of Village-
Harbhanga, Madhwa Prem Raj, Ward No.10, Police Station- Sarsi,
Prakhand- Banmankhi, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
For respondent no. 9	:	Mr. Binodanand Mishra, Advocate
		Mr. Gunjan Kumar Jha, Advocate
		Mrs. Sakshi Sanahi, Advocate
For the Respondent/s	:	Mr. Sunil Kumar Mandal, SC-3
		Mr. Arjun Prasad, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 06-02-2024 Heard the learned counsel for the petitioner, the

learned counsel appearing on behalf of respondent no. 9 and the

learned counsel appearing on behalf of the State.

2. The present writ petition has been filed for

quashing the order dated 09.06.2015 issued by the respondent

no. 5 and order dated 22.02.2016 issued by the respondent no. 3.

3. The petitioner applied for the post of 'Anganwari Sevika' Gram Panchayat, Majhua Premraj, Ward No. 9, Centre Harbhanga in the District of Purnea. The petitioner and five other persons have applied for the post in question and after the verification process and subsequent scrutiny, a certificate was issued to the petitioner stating that she had been selected for the post of 'Anganwari Sevika' on 23.02.2015. In the meantime, respondent no. 8 had made a complaint before the authority concerned alleging therein that the petitioner is not a resident of area of Anganwari Centre and her selection was illegal. After receiving of the complaint, respondent no. 4 had cancelled the candidature of the petitioner from the post of 'Anganwari Sevika' and directed the respondent no. 6 to make a fresh selection.

4. The main submission of learned counsel for the petitioner in the present writ petition is that the impugned order has been passed without hearing the petitioner and without asking any show cause notice from the petitioner and the respondent no. 5 has wrongly given the finding that the petitioner is not a resident of the Anganwari Centre.

5. Learned counsel for the State as well as the learned counsel for the respondent no. 9 has vehemently opposed the

prayer and submit that from the bare perusal of the selection list, it appears that the petitioner has not produced the residential certificate at the time of selection process, therefore the authority concerned has rightly cancelled the candidature of the petitioner on the sole ground. He further submits that as per advertisement, the petitioner is required to submit the residential certificate at the time of her selection.

6. Pursuant to the order dated 09.01.2024, the State authority had produced the original record of selection process and after perusal of the same, it was found that the petitioner has not submitted the original residential certificate at the time of selection process.

7. Considering the aforesaid facts, it appears that the petitioner has not furnished the residential certificate at the time of her selection process which was mandatory for selection of post in question.

8. No interference is required. Accordingly, this writ petition stands dismissed.

(Rajesh Kumar Verma, J)

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