

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5096 of 2025

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Kumari Karishma Bharti, Wife of Rajeev Kumar Sah, Resident of Village-Sherpur Ward No.7, P.S. Neema Chandpura, Sadar Block Begusarai, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource and Development Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Munger
3. The District Magistrate, Begusarai
4. The District Programme Officer, Begusarai
5. The Child Development Programme Officer, Begusarai.
6. Seema Raj Wife of Ram Praves Kumar Resident of Village-Sherpur Gram Panchayat Neema, Ward No. 7, P.S. Neema, District-Begusarai.
7. Sheela Kumari Wife of Chandan Kumar Resident of Village-Sherpur Gram Panchayat Neema, Ward No. 7, P.S. Neema, District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Sanjay Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-04-2025 Heard the parties.

2. The petitioner who was one of the aspirant for the post of Anganwadi Sevika has assailed the order dated 09.10.2024 passed by the Divisional Commissioner, Munger whereby while rejecting the Anganwadi Service Appeal No. 65 of 2022, the learned Divisional Commissioner has affirmed the order passed by the District Programme Officer (ICDS), Begusarai as well as the order of the CDPO, Begusarai.

3. Mr. Rajesh Kumar, learned Advocate for the



petitioner while assailing the impugned order has vehemently contended that both the private respondent nos. 6 and 7 alongwith the petitioner had submitted application for selection to the post of Anganwadi Sewika in respect to Anganwadi Centre No. 426 Panchayat Neema, Sherpur, Begusarai. At the time of submission of the form, the private respondent no. 6 and 7 have made incorrect statement and moreover, they are not the resident of the *poshak kshetra* and the names of their husband/father-in-law do not find place in the voter list. It is specifically contended that respondent no. 6 has given a false statement regarding her antecedent and her educational certificate as well as the residential and caste certificate were not genuine. Despite several representation filed by the petitioner highlighting the infirmities committed by the private respondents in collusion of Selection Committee in the entire selection process, when nothing has been done, the petitioner finally approached before the CDPO, Begusarai by filing Complaint Case No. 25/2021, which came to be rejected.

4. The petitioner further preferred Appeal Case no. 01/2022 before the District Programme Officer, Begusarai. However the District Programme Officer, Begusarai without applying his mind passed the impugned order, rejecting the



appeal of the petitioner in a mechanical manner. The contention of the petitioner that forged and fabricated documents apart from incorrect residential certificate were placed alongwith the form of respondent nos. 6 and 7, have been completely ignored. Aggrieved with the order passed by the District Programme Officer, the petitioner preferred Aanganwadi Service Appeal No. 65 of 2022 before the Court of Learned Divisional Commissioner, Munger. The entire facts, aforementioned, have been brought on record, but the similar mistake has been committed by the Divisional Commissioner and a completely mechanical order has been passed, basing upon the only fact that the private respondent nos. 6 and 7 have obtained higher position in the merit list than the petitioner. The infirmities as have been shown by the petitioner have been completely overlooked and, as such, the entire selection was tinkered with the manifest irregularities and infirmities, thus vitiates the selection, is the contention of learned Advocate for the petitioner.

5. Mr. Sanjay Prasad, learned Advocate for the State having taken this Court through the impugned order has contended that the report of the District Programme Officer clearly reveals that the respondent no. 6 has obtained 68% merit marks, whereas the respondent no. 7 has obtained 66.71%; so



far the petitioner is concerned, she has secured 66.6% marks and, as such, in the merit list duly prepared by the Selection Committee she found third position.

6. It is further contended that with regard to the certain infirmities at the time of submission of the form by the private respondents have also been duly clarified by the CDPO, and the District Programme Officer, Begusarai that the mistakes cropped up at the time of submission of the forms, have been removed later on by filling an affidavit with the necessary documents. It is the specific contention of the respondent State authorities, based upon the documents that both the private respondents are the resident of *poshak kshetra* and the name of their respective husband and father-in-law also finds place in the voter list.

7. Having heard the learned Advocate for the respective parties and after going through the impugned order, this Court does not find any reason to interfere in the impugned order in view of the concurrent findings by all the forums based on documentary evidence and the reports submitted by the concerned authorities negating the allegation of the petitioner. Moreover, the petitioner has failed to bring on record any substantial document(s) in support of her claim nor able to point



out any procedural infirmity and thereby make out a case of interference in the impugned orders; all the more there is no challenge to the order(s) passed by the CDPO, Begusarai as well as District Programme Officer, Begusarai..

8. In view thereof, the writ petition does not find any merit, accordingly stands dismissed.

(Harish Kumar, J)

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