

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9559 of 2025

=====

Kalawati Kumari Wife of Rajkumar Manjhi, Resident of Village- Larpur, P.S.- Bodhgaya, Bhadeji, Gaya, Bihar- 823003.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar, Patna.
2. Bihar Mahadalit Vikas Mission, through The Mission Director, Patna.
3. The District Magistrate Cum Collector, Gaya, Bihar.
4. The Sub-Divisional Officer, Sadar Gaya, Bihar.
5. The District Welfare Officer, Gaya, Bihar.
6. The Block Development Officer, Bodh Gaya, Gaya, Bihar.
7. Kartik Kumar, Son of Mugal Manjhi, R/o- Village- Larpur, Tola - Jagdishpur, P.O. - Bhadeji, P.S.- Bodhgaya, District- Gaya, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Aditya Bhardwaj, Adv.
For the Respondent/s : Mr. Vivek Anand Amritesh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-06-2025 Heard the parties.

2. The petitioner is aggrieved with the inaction of the respondents in not appointing the petitioner on the post of Vikas Mitra at Panchayat-Moratal, Block-Bodh Gaya, District-Gaya, Bihar.

3. The petitioner had applied for appointment as Vikas Mitra against the vacancy at Moratal Panchayat, in pursuant to advertisement published through letter no. 444 dated 01.08.2022. It is the admitted position that a merit list was published in accordance with the Vikas Mitra Selection



Guidelines (Chayan Margdarshika); the petitioner secured second position, whereas one Parvati Kumar was at Sl. No. 1. Within the stipulated time, the petitioner raised objection before the respondent no. 4, alleging therein that the selected candidate (Parvati Kumari) submitted forged certificate of her educational qualification. The enquiry was conducted and the certificate of said Parvati Kumari was found to be forged, leading to cancellation of her appointment, vide letter no. 4697 dated 02.12.2023.

4. Taking this Court through the Vikas Mitra Selection Guidelines (Chayan Margdarshika), the copy of which is marked as Annexure-3, learned Advocate for the petitioner urged that since the petitioner was at Sl. No. 2 in the merit list, in terms with the prescription of Chayan Margdarshika, especially, Clause-8 thereof; the petitioner, ought to have been appointed in place of Parvati Kumari, but to the utter disregard, a fresh advertisement came to be published and one Kartik Kumar was appointed. The petitioner has all along been pursuing the matter before the authorities concerned, especially respondent no. 4, but she denied appointment against the post of Vikas Mitra, despite having been secured second position in the merit list.



5. Learned Advocate for the State refuting the aforesaid contention submits that it is the admitted position that the panel of the merit list for Vikas Mitra was only for an year and the services of said Parvati Kumari came to be terminated, after more than an year of the preparation of the merit panel; hence, the prescription, as provided in Clause-8 would not be applicable, which is meant that in case if certificate is found to be forged during the selection process, in such circumstances, the person who secured second position in the merit list may be appointed. However, in the case in hand, Parvati Kumari had already been appointed and thereafter the petitioner has filed objection and enquiry was conducted and her certificate has been found to be forged. It is further contended that the petitioner has also participated in the selection process, which came to be initiated in terms of fresh advertisement through letter no. 95 dated 27.07.2024 and when she did not find favour, the present writ petition came to be filed.

6. Having considered the submissions set forth by learned Advocate for the respective parties, this Court accepted the contention of the learned Advocate for the State that the Vikas Mitra Selection Guidelines (Chayan Margdarshika) clearly stipulates that the second person to the merit list shall be



appointed, only in case the certificate of selected candidate is found forged during the selection process. It is also admitted position that the panel of the Vikas Mitra was only meant for one year and that period has already gone over and later on, a fresh advertisement was published, wherein the petitioner has also participated, but unsuccessfully.

7. On all these counts, this Court does not find any merit in the writ petition. Accordingly, the same stands dismissed.

(Harish Kumar, J)

shivank/-

U			
---	--	--	--

