

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.801 of 2023

In

Civil Writ Jurisdiction Case No.435 of 2023

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Anjali Devi @ Anjali Kumari, W/o Sri Anirudh Paswan, resident of village-
Dira, P.O.- Konag, P.S.- Halsi, District- Lakhisarai.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, I.C.D.S., Bihar, Patna.
3. The Divisional Commissioner, Munger Division, Munger.
4. The Collector cum the District Magistrate, Lakhisarai.
5. The Sub Divisional Officer, Lakhisarai.
6. The District Programme Officer, Lakhisarai.
7. The C.D.P.O. Halsi, District- Lakhisarai.
8. The Lady Supervisor, C.D.P.O. Halsi, District- Lakhisarai.
9. Manorma Devi, Wife of Shankar Mistri, R/o village- Dira, P.O.- Konag, P.S.- Halsi, District- Lakhisarai.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar, Advocate

For the Respondent/s : Mr. Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)



Date : 05-03-2025

Re. I.A. No. 1 of 2025 in L.P.A. No. 801
of 2023 :-

The aforesaid interlocutory application has been filed seeking condonation of delay of 14 days in preferring the present Letters Patent Appeal.

2. For the reasons stated in the application, the delay of 14 days in preferring the appeal is, hereby, condoned.

3. I.A. No. 1 of 2025 stands allowed.

Re. L.P.A. No. 801 of 2023 :-

4. Heard the learned counsel for the parties.

5. The appellant; respondent No. 9 and one Preeti Raj had applied for the post of Anganwari Sevika against the advertisement for the post.

6. In the General Meeting, respondent No. 9 was selected. The appellant was placed at serial No. 2 in the merit-list. However, the appellant challenged the



genuineness of the age certificate of respondent No. 9, which led to an enquiry in the matter and, ultimately, the selection of respondent No. 9 to the post of Anganwari Sevika was set aside and the appellant was appointed on that post.

7. Thereafter, respondent No. 9 challenged such order *vide* C.W.J.C. No. 10382 of 2020, which was disposed off on 11.01.2022.

8. By order dated 24.08.2022, the respondent No. 4 directed for reinstatement of respondent No. 9 on the post of Anganwari Sevika. This was, again, challenged by the appellant *vide* C.W.J.C. No. 435 of 2023, which was dismissed by judgment dated 05.05.2023.

9. The objection of the appellant against the appointment of respondent No. 9 was that her date of birth was not correctly stated. This assertion was based mainly on the ground that the daughter of respondent No. 9 was roughly of the same age as of respondent No. 9.



The matter was inquired into and it was found that respondent No. 9 is the second wife of her husband. In fact, her husband had married the elder sister of respondent No. 9, with whom two daughters were born.

10. The matter was further inquired at the instance of the learned Single Judge and the Superintendent of Police, Lakhisarai submitted a report before the learned Single Judge that the respondent No. 9 was the second wife of her husband and, therefore, merely because the age of her step-daughter was almost the same, that would be no ground to presume that the age projected by respondent No. 9 was wrong. Finding this fact, the learned Single Judge rejected the writ petition of the appellant.

11. We do not find any reason to interfere with the order passed by the learned Single Judge referred to above.

12. There is no merit in this appeal and it is, accordingly, dismissed.



13. Interlocutory application(s), if any,
also stands disposed off.

(Ashutosh Kumar, ACJ)

(Harish Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	06.03.2025
Transmission Date	N/A

