

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10353 of 2025

=====

Soni Kumari Wife of Sri Haribol Sah Resident of Village- Ghaghra, Ward No.- 11, P.O.- Ghaghra, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Divisional Commissioner, Munger Division, Munger.
2. The Divisional Commissioner, Munger Division, Munger.
3. The District Magistrate, Begusarai.
4. The District Programme Officer (Welfare), Begusarai.
5. The Children Development Project Officer (C.D.P.O.), Bakhri, P.O. and P.S.- Bakhri, District- Begusarai.
6. The Lady Supervisor, Bakhri, P.O. and P.S.- Bakhri, District- Begusarai.
7. Smt. Laxmi Kumari, Wife of Sri Baiju Sharma Resident of Village- Ghaghra, Ward No.- 11, P.O.- Ghaghra, P.S.- Bakhri, District- Begusarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Standing Counsel (18)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed for setting aside the order- dated 09.10.2024 passed by Divisional Commissioner, Munger Division, Munger in Anganbari Service Appeal No. 66/2022 (Laxmi Kumari Versus The State of Bihar & Ors.) allowing Appeal and setting aside the order passed by District Programme Officer (Welfare), Begusarai in Appeal No. 40/2021 issued under Memo No. 1457 dated 05.11.2022 and



directing for appointment of Private Respondent against the post of Sevika ignoring the pleadings, guidelines and law decided by Court of law dealing the same and similar issues and further prayer for reinstatement in service with full back wages as per entitlement and for other necessary relief/ relief's on the basis of facts and circumstances of the case as stated, enumerated and discussed hereinafter.

3. Learned counsel for the petitioner submits that the petitioner has challenged the order dated 09.10.2024 passed by the Divisional Commissioner, Munger Division, Munger in Anganbari Service Appeal No. 66 of 2022.

4. Counsel for the petitioner further submits that at the time of filling up the form, the private respondent did not indicate anything with regard to claiming the benefit of handicapped reservation, yet the selection of the private respondent was made on the ground of handicapped reservation. Counsel further submits that the consideration of the private respondent's case under the handicapped category is absolutely illegal, particularly when no such indication was made by the private respondent in the original application.

5. Learned counsel for the State, on the other hand, submits that the reasoned order indicates that the private



respondent had not filled up the form claiming reservation under the handicapped category initially. However, time was extended for raising objections in filling up the form from 25.06.2019 to 30.06.2019, and the private respondent submitted the certificate regarding handicap on 29.06.2019, i.e., within the stipulated time. It is for this reason that the said certificate was filed well within the period of extension, and accordingly, the Commissioner passed the order with reasoned findings and granted the benefit to the private respondent.

6. Upon hearing the parties and perusal of the documents, it transpires to this Court that Annexure P/5, the order dated 09.10.2024 passed by the Divisional Commissioner, Munger Division, Munger, in Anganbari Service Appeal No. 66 of 2022, has been challenged and a reasoned order has been passed. The reason for entertaining the application of the private respondent has been well assigned, as the certificate was filed within the extended period. Therefore, this Court is not inclined to interfere in this matter.

7. Hence, the present writ petition stands dismissed.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

