

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1947 of 2022

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Munni Kumari Daughter of Ram Rati Singh and Wife of Sri Mantu Kumar
Singh Resident of Jigana, Police Station-Dinara, District-Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director Integrated Child Development Services (ICDS), Social Welfare Department Government of Bihar, Patna.
4. The Collector Cum District Magistrate, Rohtas.
5. The District Program Officer (ICDS), Rohtas at Sasaram
6. The Child Development Program Officer, Dinara, Under District Rohtas.
7. Chandani Kumari Wife of Mithilesh Kumar Resident of Village-Jigana, Police Station-Dinara, District-Rohtas at Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate
Mr. Radha Krishna, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 15-04-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application for
the following relief(s):

*“I. To set aside the order dated 03.12.2021
passed by the learned Collector Cum District
Magistrate, Rohtas at Sasaram in Anganbadi Sewika
Appeal No. 10 of 2019 as contained Annexure - P 7 in*



this writ petition, whereby order dated 29.12.2018 passed by District Program Officer, Rohtas as contained in Annexure - P/5 has been set aside and reinstated the illegal selection of Respondent no. 7 Chandani Kumari on the post of Anganbadi Sewika on Centre No. 229, Ward no. 08 of Village -Jigana, Panchayat Jamrodh, Anchal and Police Station-Dinara, District Rohtas

II. For issuance of writ/writs, orders and direction to affirm the order dated 21. 01. 2019 passed on the direction of learned District Program Officer, Rohtas as contained Annexure-P/6 in this writ petition whereby Petitioner Munni Kumari has been duly selected and working on the post of Anganbadi Sewika on Centre No. 229, Ward no. 08 of Village-Jigana, Panchayat Jamrodh, Anchal and Police Station -Dinara, District Rohtas

III. For any other relief/reliefs may be allowed for which Petitioner is duly entitled accordance with law.”

3. The case of the petitioner in brief is that on the respondents coming out with an advertisement for appointment on the post of Anganwari Sevika for Centre no.229 of village Jigana Ward no.8 under Panchayat Jamrodh in police station Dinara in the district of Rohtas, a total of 14 candidates including the petitioner as also respondent no.7 applied for appointment on the post of Anganwari Sevika. In the merit list prepared, while the name of the respondent no.7 figured at sl. no.1, the name of the petitioner was at sl. no.2.



4. It is further case of the petitioner that on enquiry and a report by the Child Development Project Officer, Dinara, Rohtas, as the husband of the respondent no.7 was working on the post of Training Engineer in the company namely Welspun India Limited and getting a salary of Rs.17,741/ per month as reported in letter no.326 dated 4.8.2018 of the C.D.P.O., Dinara, Rohtas, the appointment of respondent no.7, though her name appeared at sl. no.1, was set aside and the petitioner was appointed. The respondent no.7 thereafter preferred an appeal before the District Magistrate, Rohtas (Sasaram) which was registered as Anganwari Sevika Appeal Case no.10 of 2019 which was allowed by the Collector-cum-District Magistrate, Rohtas, Sasaram vide order dated 3.12.2021 restoring the appointment of respondent no.7. The petitioner being aggrieved by the said order has preferred the instant application against the same.

5. It is submitted by learned counsel appearing for the petitioner that after enquiry it was clearly reported by the C.D.P.O., Dinara, District Rohtas that the husband of the petitioner was working as an Engineer in Welspun India Limited and getting the salary as stated above.

6. Having heard learned counsels for the parties and



on perusal of the records it transpires that when the matter was being heard by the Collector, Rohtas, there was correspondence to enquire into the merit of the allegations of the husband of the respondent no.7 being employed in Welspun India Limited. A letter dated 30.7.2019 written by the authorised officer of Welspun India Limited addressed to the District Magistrate, Rohtas, Sasaram was received stating therein that no person by the name of Mithilesh Kumar (husband of respondent no.7) was ever employed in Welspun India Limited. The letter further stated that no salary certificate with respect to Mithilesh Kumar has been issued by the said company and the same is forged and fabricated. These facts have already been communicated to the C.D.P.O., Dinara, Rohtas by e.mail on 9.1.2019 as also by letter dated 18.2.2019. The issue of the husband of respondent no.7 not being employed with Welspun India Limited having been clarified and cleared by the authorised officer by his letter dated 30.7.2019, a copy of which has been brought on record in the counter affidavit filed on behalf of the respondents, the Collector allowed the appeal filed by respondent no.7 and restored her appointment as Anganwari Sevika.

7. The Court finds no error in the order impugned dated 3.12.2021 passed by the Collector-cum-District



Magistrate, Rohtas (Sasaram) and no merit in the instant application.

8. The application is dismissed.

(Partha Sarthy, J)

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