

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7997 of 2026

Gaytri Kumari W/o Anil Chaudhari, R/o - Mahrawa, P.O. - Mahrawa, P.S. -
Morawan, Nawada, Bihar - 805107.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Social Welfare, Govt. of Bihar.
2. The District Magistrate, Nawada.
3. The District Program Officer, Nawada.
4. The Child Development Project Officer, Nawada.
5. Munni Kumari W/o - Ajit Chaudhari, R/o Vill., P.O. and P.S. - Mehrawadih, Ward No. - 14, Block - Dih, District- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Vikram Rana, Advocate Ms. Misha Bharti, Advocate Mr. Akash Priye, Advocate Mr. Utkarsh Vikram Rana, Advocate Mr. Kumar Saurav Dev, Advocate Mr. Harsh, Advocate
For the State	:	Mr. Standing Counsel (06)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 18-06-2026

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
issuance of an appropriate writ(s)/order(s)/direction(s) to the
respondents for the following relief/s:-

*“I. Issue an appropriate writ, order or
direction, particularly in the nature of
Certiorari, for quashing the impugned order
dated 06.06.2025 passed by Respondent No.
2, whereby the petitioner has been illegally
removed from the post of Anganbari Sevika.*



II. Issue an appropriate writ, order or direction, particularly in the nature of Mandamus, directing the respondents to reinstate the petitioner on the post of Anganbari Sevika forthwith.

III. Direct the respondent authorities to consider and verify the Class 8th certificate of the petitioner in accordance with law and pass a reasoned order.

IV. Issue a direction for quashing the illegal reinstatement/appointment of Respondent No. 5, who has been appointed in place of the petitioner without any lawful basis.

V. Direct the respondents to grant the petitioner full back wages and all consequential service benefits, including continuity of service.

VI. Pass an order directing the respondents to conduct a fair and proper enquiry, if required, strictly in accordance with law and principles of natural justice.

VII. Pass any other appropriate writ/order/direction as this Hon'ble Court may deem fit in the interest of justice.”

3. Learned counsel for the petitioner submits that the petitioner was duly selected and appointed as Anganbari Sevika for Centre no. Mahrawadih 4, Code No.- 158, Ward No. 14, Panchayat- Madra, Prakhand- Roh, District- Nawada as per



the then guideline according to which the minimum qualification required is 8th pass. At the time of appointment, the petitioner has submitted her certificate of class 8 and only after verification, her selection was made. Counsel submits that the false and frivolous complaint has been made by private respondent that the petitioner does not possess requisite qualification. Enquiry was conducted by the D.P.O., Nawada (respondent no. 3) and the petitioner was removed. Thereafter, the petitioner has preferred appeal before the Collector, Nawada according to the then *Margdarshika* and the Collector has also rejected the claim of the petitioner. He further submits that the certificate of the petitioner is genuine and it may be verified or re-verified from the concerned school from where it has been issued. Counsel submits that at the time of passing the original order by the D.P.O., Nawada and the appellate order by the Collector, Nawada, the pleading of the petitioner has not been taken care of. Therefore, he submits that both the orders i.e. the original order as well as the appellate order, are perverse and be set aside.

4. Learned counsel for the State, on the other hand, submits that this writ petition is not maintainable and fit to be dismissed due to two reasons. Firstly, that the points raised by the petitioner that both the authorities have not considered her



case is not correct. He submits that the pleadings mentioned by the petitioner in the writ petition has already been taken care of by the Original Authority and the D.P.O. Nawada has send her certificate for verification to the respective school from where the Principal has indicated that the document has been destroyed and the certificate could not be verified. Counsel further submits that according to the then rule, when two candidates of same category are present, then in that case, it is the marks which shall prevail and the selection of the candidate shall be made having higher marks. He submits that from the order passed by the D.P.O., Nawada, it become crystal clear that the petitioner has failed to produce her marks before the D.P.O., Nawada, whereas, the private respondent has produced the marks. Therefore, he submits that neither the certificate was verified nor the petitioner was in a position to produce the marksheet and it is due to this reason considering both the points, the D.P.O., Nawada has passed the order which has been affirmed by the Collector, Nawada. Therefore, he submits that there is no need of any interference either in the original order or in the appellate order and this writ petition be dismissed.

5. After hearing the parties and going through the decisions of the Original Authority and the Appellate Authority, this Court finds that the case of petitioner is very clear that she is



demanding fresh verification from the Principal, whereas, the verification has already been demanded by the CDPO and reference of those verification has been inserted in the order sheet. It is nowhere pleaded that the said certificate issued by the Principal is false, fabricated or given in connivance with the other party.

6. Therefore, this Court has no option but to rely on the reasonings given by the D.P.O., Nawada (the Original Authority), which has been duly approved by the Collector, Nawada (the Appellate Authority). Hence, this Court finds that there is no need of any interference, either in the original order or in the appellate order.

7. Accordingly, with the aforesaid observation, this writ petition stands dismissed.

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	19/06/2026
Transmission Date	NA

