
(2020) 02 PAT CK 0387

Patna High Court

Case No: Civil Writ Jurisdiction Case No 1590 Of 2020

Saroj Kumari @ Saroj
Devi

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision: Feb. 28, 2020

Hon'ble Judges: Madhuresh Prasad, J

Bench: Single Bench

Advocate: Anil Kumar Saxena, Rajesh Kumar

Final Decision: Dismissed

Judgement

1. Heard learned counsel for the petitioner as well as the learned counsel appearing for the Respondent-State.

2 Petitioner, along with others, has participated in the selection process for selection of Angan Bari Sevika for the Centre in question. Petitioner's

case is that she was at Serial No

3 in the merit list. The first candidate did not appear. It is submitted that the second candidate suffered from disqualification in terms of Clause 6 of the

Guidelines of 2016. The disqualification being relied upon by the petitioner's counsel is as follows:

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3 The fact has been considered by the District Magistrate. Taking note of the fact that the father-in-law of the second empanelled candidate, namely

Anjana Kumari was not a Government servant and he was only discharging his duties on contractual basis in the Special Auxiliary Police, the District

Magistrate has held that the disqualification under Clause 6 of the Guidelines of 2016 is not attracted in the case of the private Respondent.

4 From bare reading of the disqualification Clause, it is apparent that the same contemplates disqualification when husband/father-in-law of the

applicant is in Government employment and the same does not speak of any disqualification in respect of contractual employment.

5 Conclusion of the District Magistrate does not require any interference.

6 Writ petition is dismissed.