
(2015) 2 JLJR 308

Jharkhand High Court

Case No: WP(S) No. 2425 of 2013

Dhaneshwari Devi

APPELLANT

Vs

The State of Jharkhand
and Others

RESPONDENT

Date of Decision: April 8, 2015

Citation: (2015) 2 JLJR 308

Hon'ble Judges: Aparesh Kumar Singh, J

Bench: Single Bench

Advocate: Jagannath Mahato, for the Appellant; Arbind Kumar, Advocates for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

Aparesh Kumar Singh, J.

1. Heard counsel for the parties. Petitioner has approached this Court with grievance that through letter No. 156 dated 2.2.2013 (Annexure-2), respondent No. 3-District Welfare Officer, Bokaro has communicated that her case for appointment as Aanganbari Sevika for Kudkapniya Centre under Nawadih Circle in the district of Bokaro, has not been accepted as there was a difference in her date of birth after verification from the concerned school. Earlier, petitioner was selected as Aanganbari Sahaika in 2004 when she was a non-matric and her date of birth was shown as 15.1.1983.

2. As per the petitioner's own case through representations contained at Annexure-3 series dated 18.12.2012 and subsequent dates, she completed her matriculation from another school being Nehru High School, Telo as a private candidate where her actual date of birth was recorded as 1.4.1986 when she passed out in the year 2007. It is her contention that at the time of her appointment as a Sahaika, a wrong date of birth was recorded in the school register of Project Girls High School which she desperately tried to get corrected, but after having failed to secure such correction, she appeared as a private

candidate from another school where her actual date of birth has been recorded. It is her contention that she has not suppressed any such fact from the respondents, though they have not accepted her selection as Aanganbari Sevika despite Aam Sabha having recommended as such, as per its decision contained at Annexure-1 dated 17.1.2012. It is further stated that the order of rejection at Annexure-2 has not been passed by the competent authority. Therefore, respondents should consider her claim for selection as Aanganbari Sevika of the said centre which is said to be still vacant and her representations are pending before the Deputy Commissioner, Bokaro.

3. According to the respondents, petitioner while being appointed as Sahaika, has disclosed a different date of birth i.e. 15.1.1983 and thereafter, she appeared in a different school to complete her matriculation where she has changed her date of birth as 1.4.1986. Upon verification when this contradiction was found, her appointment was not approved by the respondents.

4. Having regard to the aforesaid facts and circumstances, it seems that the petitioner earlier had represented before the respondents with a different date of birth i.e. 15.1.1983 at the time when she was selected as Sahaika and later on changed her date of birth as 1.4.1986 and had undertaken matriculation exam, from different school which has made the basis for her claim for selection as Aanganbari Sevika in the year 2012. This contradiction in the date of birth is a serious matter which cannot be ignored by the respondents, even though Village Education Committee may have overlooked the same. In such Circumstances, if the petitioner's selection has not been accepted as Aanganbari Sevika after due verification of her date of birth from the school register and there is difference in date of birth, no infirmity can be found in such decision. Therefore, this Court is not inclined to interfere in the writ jurisdiction. The writ petition is dismissed. I.A. No. 7350/2013 and I.A. 5566/2014 stand dismissed.