



2026:PATHC:37372

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8286 of 2025

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Nisha Kumari W/o Sri Prahalad Pandit @ Randhir Kumar Verma, Resident of
Village-Khadiahi, P.S.-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Collector, Samastipur.
3. The District Programme Officer, Samastipur.
4. The Child Development Officer (C.D.P.O.), Samastipur.
5. Kaushalaya Kumari, W/o Ganga Prasad Das, Resident of Village-Khadiahi,
P.S.-Bibhutipur, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suraj Narain Yadav, Advocate
For the Respondent/s : Mr.Addl. Advocate General (04)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 21-04-2026

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

2.The petitioner has filed the present writ petition for
the following relief :-

*“That this is an application for
issuance of a writ in the nature of
Certiorari to quash the order dated
24.06.2023 passed in Anganbari Appeal*





No. 47 of 2017 by which the appeal has been dismissed and further for quashing of the order dated 21.12.2016 as contained in memo no. 1975 dated 26.12.2016 passed by the District Programme Officer, Samastipur whereby he rejected the claim of the petitioner and further to quash the selection of the respondent no.5 as Anganbari Sevika of Anganbari Centre No. 230 in Village-Khadiahi, Block & District- Samastipur and further for issuance of a writ in the nature of Mandamus and/or any other appropriate writ order or direction commanding upon the respondents to select the petitioner as aforesaid Anganbari Centre No.230.”

3. Learned counsel appearing on behalf of the petitioner submits that the order dated 24.06.2023 passed by the Collector, Samastipur in Anganbari Appeal Case No. 47 of 2017 is wholly perverse, inasmuch as the certificate of the private respondent is alleged to be fake, yet the same has been treated as genuine by the authority. It is, therefore, contended that the petitioner has been constrained to file the present writ petition.

4. Learned counsel appearing for the State, on the other hand, submits that the petitioner had earlier approached this Hon’ble Court in CWJC No. 6711 of 2020, which was





disposed of vide order dated 20.12.2021, directing the Collector, Samastipur to consider the petitioner's appeal after due notice to the private respondent and to pass a reasoned and speaking order in accordance with law. It is further submitted that, pursuant thereto, the appellate authority has duly considered all aspects of the matter and passed the impugned order. Therefore, no interference is warranted.

5. After hearing the parties and upon perusal of the order dated 24.06.2023 passed by the Collector, Samastipur in Anganbari Appeal Case No. 47 of 2017, this Court finds it appropriate to reproduce the operative portion of the said order, which reads as under:—

“उभय पक्ष के विज्ञ अधिवक्ता को सुनने, निम्न न्यायालय द्वारा पारित आदेश, जिला शिक्षा पदाधिकारी, समस्तीपुर के पत्रांक 3246, दिनांक 17.12.2008 द्वारा लोक सूचना के तहत दी गयी सूचना, परीक्षा नियंत्रक, बिहार संस्कृत शिक्षा बोर्ड, पटना के पत्रांक 5269, दिनांक 24.11.2008, CWJC No-6711/2020 पारित न्याय निर्णय दिनांक 20.11.2021 एवं बाल विकास परियोजना पदाधिकारी, विभूतिपुर के पत्रांक 762, दिनांक 21.12.2016 द्वारा प्राप्त शैक्षणिक प्रमाण पत्र का जाँच प्रतिवेदन का अवलोकन एवं परिशीलन किया गया। विपक्षी कौशल्या कुमारी के अंक पत्र का सत्यापन हेतु बाल विकास परियोजना पदाधिकारी, विभूतिपुर द्वारा परीक्षा नियंत्रक, बिहार संस्कृत शिक्षा बोर्ड, पटना को भेजा गया था. जिसका सत्यापन प्रतिवेदन परीक्षा नियंत्रक के पत्रांक 5269, दिनांक 24.11.2008 द्वारा अंक पत्र का सत्यापन कर सत्यापन प्रतिवेदन उपलब्ध कराया गया है. जिसमें





सत्यापित किया गया है कि कौशल्या कुमारी (112/71/90) पत्रांक 556, श्रेणी प्रथम है। इसके अतिरिक्त बाल विकास परियोजना पदाधिकारी, विभूतिपुर के पत्रांक 762, दिनांक 21.12.2016 द्वारा भी अंक पत्र का सत्यापन किया गया है, जिसमें भी अंक पत्र को सही होना बताया गया है।

”अतः उपरोक्त वर्णित परिप्रेक्ष्य में जिला प्रोग्राम पदाधिकारी (ICDS), समस्तीपुर द्वारा पारित आदेश ज्ञापांक 1549, दिनांक 03.12.2013 तथा आदेश ज्ञापांक 1975, दिनांक 26.12.2016 विधिसम्मत प्रतीत होता है, जिसे सम्पुष्ट किया जाता है। उक्त पारित आदेश में इस स्तर से किसी प्रकार के हस्तक्षेप की आवश्यकता प्रतीत नहीं होता है। अतएव अपीलकर्ता के अपील आवेदन को तथ्यपरक नहीं पाते हुए अस्वीकृत किया जाता है।

इसी विवेचना के साथ वाद की कार्यवाही समाप्त की जाती है। इस आदेश की प्रति जिला प्रोग्राम पदाधिकारी (ICDS), समस्तीपुर/बाल विकास परियोजना पदाधिकारी, विभूतिपुर को उनके निम्न न्यायालय के मूल अभिलेख संख्या-62/2016-17 के साथ सूचनार्थ एवं अनुपालनार्थ भेजे।

लेखापित एवं संशोधित ।

6. From the reasoning assigned by the Collector, it transpires that the grievance raised by the petitioner regarding the alleged fake certificate was duly examined. An inquiry was conducted, report was called for, and upon verification of the marksheet from the concerned authority, it has been found that the marks obtained by the private respondent are genuine. Thereafter, the Collector has passed the impugned order.

7. In view of the aforesaid facts and the reasoned findings recorded by the competent authority, this Court is of the





considered opinion that no case for interference is made out.

8. Accordingly, the writ petition stands dismissed.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	28.04.2026
Transmission Date	NA

