

IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 75 of 2026

Shefali Khatun, aged about 32 years, wife of Md. Shamim Akhtar, R/o Village-Gadarpara (Paschim Tola), P.O.- Birkity, P.S. Maheshpur, District- Pakur (Jharkhand) Appellant

Versus

1. The State of Jharkhand
2. The Deputy Commissioner, Pakur, P.O. & P.S.- Pakur, District Pakur (Jharkhand).
3. The Deputy Development Commissioner, Pakur, P.O. & P.S.- Pakur, District-Pakur (Jharkhand)
4. The District Welfare Officer, Pakur, P.O. & P.S. Pakur, District Pakur (Jharkhand)
5. The Block Development Officer-cum-Chairman of the Selection for Appointment of Aanganbari Sewika, Maheshpur, Pakur, P.O. & P.S. Maheshpur, District Pakur (Jharkhand)
6. The Child Development Project Officer, Maheshpur, Pakur, P.O. & P.S. Maheshpur, District Pakur (Jharkhand)
7. Sahina Khatun, W/o Roni @ Rani Sheikh, R/o Village- Gadarpura, P.O. Birkity, P.S. Maheshpur, District- Pakur (Jharkhand)

... ... Respondents

CORAM : HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellant	:	Mr Rajeeva Sharma, Advocate Mr Om Prakash, Advocate
For the Resp-State	:	Mr Rahul Kamlesh, AC to SC-IV
For the Resp. No. 7	:	Mr Kanti Kumar Ojha, Advocate Mr Sahja Nand Saraswati, Advocate Mr Pranjal Chaturvedi, Advocate

04 /Dated: 27.07.2026

1. Heard the learned counsel for the parties.
2. This appeal challenges the learned Single Judge order dated 15.01.2026 dismissing the appellant's W.P.(S) No. 2238 of 2021, thereby upholding the order dated 15.03.2021 made by the Deputy Commissioner, Pakur in Misc. Case No. 1 of 2021.
3. The Deputy Commissioner, Pakur in Misc. Case No. 1 of 2021, in categorical terms held that Aam Sabha in its meeting held on 05.07.2019 had resolved to appoint the 7th respondent as Aanganbari Sewika of Gadarpura (Paschim Tola).

4. The 7th respondent had complained that despite her selection by the Aam Sabha in its meeting held on 05.07.2019, based upon the appellant's complaint, the provisional appointment order issued to her was not being finalised. On the other hand, the appellant's contention was that on 05.07.2019 there was no meeting of the Aam Sabha and, therefore, there was no question of selection of the 7th respondent as Aanganbari Sewika. Based on these factual disputes, this Court, by its order dated 21.10.2020 in W.P.(S) No. 845 of 2020, directed the Deputy Commissioner to decide the 7th respondent's application in accordance with law.

5. Pursuant to this Court's order, the Deputy Commissioner had made a detailed order on 15.03.2021. In this order, the Deputy Commissioner has held that there was indeed a meeting held on 05.07.2019, in which candidatures of four persons, including the appellant and the 7th respondent, were duly considered. In the said meeting, the 7th respondent was selected. After that, the provisional selection letter was also issued to the 7th respondent.

6. The second finding of fact recorded by the Deputy Commissioner was that an approval was granted to the provisional selection of the 7th respondent on 23.09.2019 by the Competent Authority, i.e. the Deputy Development Commissioner. The appellant filed a complaint against the 7th respondent and the District Social Welfare Officer by suppressing the fact that the 7th respondent's appointment was already approved by the Deputy Development Commissioner, made a proposal for holding a fresh Aam Sabha meeting on 24.02.2020.

7. The Deputy Commissioner has thus recorded a 3rd finding of fact that the genesis of the Aam Sabha dated 24.02.2020, based upon which, the appellant claims to have been selected, was the District Social Welfare

Officer's suppression of the crucial fact that not only the Aam Sabha was held on 05.07.2019, in which the 7th respondent was duly selected, but further, this selection was approved by order dated 23.09.2019 by the Deputy Development Commissioner.

8. Finally, the Deputy Commissioner, after considering the entire material in some detail, concluded that the 7th respondent was selected as Aaganbari Sewika in the meeting of Aam Sabha held on 05.07.2019 unanimously. A provisional selection letter was also issued in her favour. Such appointment was duly approved by the Deputy Development Commissioner vide order dated 23.09.2019. However, only on account of the complaint filed by the appellant, no final selection letter could be issued to the 7th respondent. Therefore, the Deputy Commissioner, by his order dated 15.03.2021, directed that such final letter be issued to the 7th respondent.

9. The appellant, aggrieved by the Deputy Commissioner's order dated 15.03.2021, instituted W.P.(S) No. 2238 of 2021, which has since been dismissed by the learned Single Judge, again after detailed consideration of the material on record.

10. Thus, as on date, there are detailed findings of fact recorded by the Deputy Commissioner and the learned Single Judge vide the impugned order dated 15.01.2026. There is no perversity whatsoever in the record of these findings of fact. Such findings are based on the materials on record, and it is apparent that the appellant, based upon her complaint and the suppression by the District Social Welfare Officer, managed to convince the Authorities about holding of a fresh Aam Sabha on 24.02.2020, in which she was declared as selected. This meeting was held on the premise that there was no Aam Sabha

meeting held on 05.07.2019 or in any event, at the meeting, the 7th respondent was not selected.

11. Mr Rajeeva Sharma, the learned Senior Advocate, submitted that there was no meeting on 05.07.2019. In any event, he submitted that the appellant was better qualified and in terms of the guidelines, a candidate with higher qualifications was entitled to be selected in preference to the one with lesser qualifications. He submitted that it is inconceivable that the 7th respondent was not issued a final selection letter or not allowed to join in case she was really selected in the Aam Sabha meeting held on 05.07.2019. He also relied upon a newspaper cutting to suggest that on 05.07.2019 there was no selection.

12. At the outset, findings of fact recorded by the competent officer cannot be assailed based on some newspaper cuttings. Such newspaper cuttings have no legal evidentiary value. Secondly, this is a case where the authorities have, on scrutinizing the record in some detail, concluded that a meeting was held on 05.07.2019 in which the 7th respondent was selected.

13. The appellant did not challenge such selection by taking out appropriate proceedings but prevailed upon the District Social Welfare Officer to recommend holding of a fresh Aam Sabha meeting on 24.02.2020. This the District Social Welfare Officer did by suppressing the fact that the 7th respondent's selection was also approved by the Deputy Development Commissioner on 23.09.2019.

14. At this stage, there is no question of upholding the holding of a meeting on 24.02.2020 when there was nothing wrong in the meeting held on 05.07.2019 at which the 7th respondent was selected. The arguments about the appellant having better qualifications, etc. could possibly have been raised by the appellant by challenging the decision of 05.07.2019 by taking out

appropriate proceedings. Instead, the appellant insisted that there was no such meeting at all.

15. The appellant was responsible for delaying the issue of final selection letter to the 7th respondent and therefore, it does not now lie the appellant's mouth to contend that the 7th respondent's case was unbelievable because no such final selection letter was issued or because the 7th respondent did not join for duties.

16. The scope of interference with the pure findings of fact is extremely limited. In the present case, the findings of the Deputy Commissioner in his order dated 15.03.2021 are backed by the material on record. There is no perversity in the record of the same. Accordingly, we are satisfied that no case is made out to grant the appellant any relief in this appeal.

17. For all the above reasons, we dismiss this appeal and vacate the interim relief granted by us during its pendency.

18. The direction issued by the learned Single Judge in the impugned order to the respondents to proceed in terms of the order passed by the Deputy Commissioner on 15.03.2021 is maintained and must be complied with at the earliest.

(M.S. Sonak, C.J.)

(Rajesh Shankar, J.)

July 27, 2026
Ranjeet / R.Kr.
NAFR
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