

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.7043 of 2017

Sumitra Kumari Petitioner

Versus

The State of Jharkhand & Others... ... Respondents

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Petitioner : Mr. Sanjay Kr. Thakur, Advocate
For the State : Mr. Suresh Kumar, SC(L&C)-II
For the Resp. No.6 :

Order No. 08/Dated 17th June, 2026

- 1.** The writ petition is under Article 226 of the Constitution of India seeking therein a direction upon the respondents to forthwith appoint the writ petitioner as Poshan Sakhi in Aangan Bari Kendra, Dharampur Panchayat, Giridih.
- 2.** The specific case of the writ petitioner is that in the selection process she even though has got the highest marks but in order to accommodate the Respondent No.6, who had produced the caste and residential certificate of third person, she has been declared to be qualified by adding the marks on the count of caste and residential certificate and to that effect specific objection was made which was invited to be submitted within two weeks.
- 3.** The respondent authorities although had conducted the due verification based upon the objection raised by the petitioner and it was found that the caste and residential certificate, based upon which the Respondent No.6 has

been declared to be qualified and the provisional appointment letter had been issued, was of third person, namely, Pushpa Kumari.

4. A show cause notice was issued to the Respondent No.6 who, however, has denied the allegation but subsequently in the year 2017 itself, she had tendered her resignation.

5. The question which has been raised on behalf of the petitioner is that the moment the Respondent No.6 was found to be indulged in unfair practices with the connivance of the authorities posted in the district, then after resignation it ought to have been rectified by issuance of appointment letter in favour of the writ petitioner but it has not been done.

6. Mr. Suresh Kumar, learned S.C.(L&C)-II, has submitted that based upon the policy decision, the appointment in question was already recalled in the year 2022 but subsequently it has again been revived and the persons who were discharging the duty as Poshan Sakhi have been allowed to work on the said engagement.

7. Learned counsel for the petitioner, in the aforesaid backdrop, has submitted that it is detrimental to the interest of the writ petitioner that due to illegality committed by the district authorities or the State Government, she was forced not to get the fruits of the

process of selection even though she was legitimate and genuine candidate having eligibility as also found to be more meritorious in comparison to other candidates.

8. Learned counsel for the petitioner, therefore, has submitted that what is being contended on behalf of the State that the policy decision has been changed but subsequently the policy decision has been revived and based upon the aforesaid revival, the engagees who were working on the said assignment, have again been allowed to discharge their duty.

9. The case of the writ petitioner, therefore, is that if the illegality would not have been done, then the writ petitioner would have been in service and she would have got an opportunity of engagement after revival of the policy.

10. At this juncture, Mr. Suresh Kumar, learned S.C.(L&C)-II, has sought for adjournment to have the instruction from the district authorities.

11. This Court is adjourning the matter to be listed on 01.07.2026.

(Sujit Narayan Prasad, J.)

Date : 17th June, 2026

Birendra/