

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(S) No. 4484 of 2010**

Saraswati Mandal ..... Petitioner  
 Versus

1. The State of Jharkhand
2. The Secretary, Social Welfare, Woman and Child Development Department, having his office at Nepal House, P.O. + P.S.- Doranda, District- Ranchi
3. The Director, Social Welfare, Woman and Child Development Department, having his office at Nepal House, P.O. + P.S.- Doranda, District- Ranchi
4. Deputy Commissioner, Jamtara
5. Deputy Development Commissioner, Jamtara
6. The District Social Welfare Officer, Jamtara, P.O. + P.S. Jamtara, District- Jamtara
7. Child Development Project Officer, Jamtara, P.O. + P.S.- Jamtara, District- Jamtara
8. Sikha Yadav ..... Respondents

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**CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN**  
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For the Petitioner : Mr. D.C. Mishra, Advocate  
 For the Respondents : Mr. Suresh Kumar, SC (L&C)-II  
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**13/ 02.11.2021:** Heard learned counsel for the parties.

**2.** The instant writ application has been preferred by the petitioner praying therein for quashing of the order dated 17.02.2010 passed by the respondent No. 6; whereby the respondent No.8 has been appointed as Anganbari Sewika instead of this petitioner in spite of the fact that the petitioner is highly qualified amongst all other candidates who were present in the Aam Sabha and also she comes within the beneficiary group (OBC) for the post of Anganbari Sewika of Patharchur Centre within the district of Jamtara.

3. Mr. D.C. Mishra, learned counsel for the petitioner submits that due to some confusion that sub caste *Mandal* and sub caste *Yadav* are two different castes; the petitioner has not been given appointment, but the fact remains that *Mandal* is also a sub-caste within the caste of *Yadav*; as such the petitioner was also in the beneficiary group and since she was most qualified amongst the candidates, her case should have been considered.

4. Relying upon the aforesaid facts Mr. Mishra submits that Deputy Commissioner, Jamtara be directed to look into the matter and pass an appropriate order.

5. Learned counsel for the respondent State does not have any objection.

From order sheet it appears that notices were issued to respondent No.8 but she fails to accept the notice and that is the reason pursuant to the order dated 24.08.2021 the case was decided to proceed in absence of respondent No.8.

6. In view of the aforesaid facts and circumstances of the case the instant writ application, is, hereby disposed of by giving liberty to the petitioner to file a detailed representation before the respondent No.4 within a period of 10 weeks.

If any such representation will be filed before the respondent No.4; he shall look into the matter and after hearing

the petitioner and respondent No.8, shall pass a reasoned order adjudicating the grievance of this petitioner.

7. Since the matter is very old, as such, respondent No.4 shall pass the order within a period of 4 months from the date of receipt of such representation.

8. With the aforesaid observation, the instant writ application stands disposed of.

**(Deepak Roshan, J.)**

Pramanik/