

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2057 of 2014

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Anjana Kumari, wife of Sri Mukesh Kumar, resident of Village- Sahsi,
P.O.- Sahsi, P.S.- Alauli, District- Khagaria

.... Petitioner/s

Versus

1. The Union of India through the Director General Department of Posts
Govt. of India Sansad Marg Dak Bhawan New Delhi
2. The Post Master General North Region Muzaffarpur, District-
Muzaffarpur
3. The Superintendent of Post Offices Begusarai, District- Begusarai
4. Sri Ram Udgar Yadav, son of Sri Janardan Prasad Yadav, resident of
Village- Sahsi, P.O.- Sahsi, P.S.- Alauli, District- Khagaria

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ibrahim Kabir-Advocate.

For the Respondent/s : Mr. Anshuman Singh-CGC NO.1

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

**HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

03 30-10-2015

Heard learned counsel for the petitioner.

2. Petitioner has filed writ petition assailing the order dated 21.08.2013 passed in O. A. No.516 of 2013 whereunder the said original application has been rejected by the Central Administrative Tribunal, Patna Bench.

3. It appears that earlier petitioner was given employment as a Gramin Dak Sewak Branch Post Master (GDSBPM) in Sahsi Branch Post Office within Postal Division, Begusarai. Her appointment was assailed by filing O.A. No.1028



of 2003 by Ram Udgar Yadav, which was allowed under order dated 28.09.2010 (Annexure-6) and the appointment of the petitioner was directed to be cancelled. The order dated 28.09.2010 was assailed by the petitioner by filing writ petition bearing C.W.J.C. No.10594 of 2010, which was dismissed as would appear from Paragraph-7 of the order dated 09.07.2010 (Annexure-7).

4. Close perusal of the order indicate that under Paragraph-11 of the said order following observation was made, which is quoted herein below:-

“11. This order will not stand in the way of Union of India and its officials if they want to adjust the petitioner against any other post in order to mitigate her difficulties in such an extraordinary situation.”

5. It is submitted on behalf of petitioner in the light of the observation made in Paragraph-11, she applied before the Authorities, but they are not inclined to mitigate her difficulties even though her situation is extraordinary. Petitioner thereafter filed the present O.A., which has been dismissed under order dated 21.08.2013 (Annexure-9) taking note of the aforesaid observation made in Paragraph-11, order of this Court. From the earlier observation made by the High Court, it is quite evident therein that

this Court made clear that the order of the writ Court will not come in the way of the Authorities, if they choose to mitigate the difficulties of the petitioner. She having failed before the authorities and the Tribunal. We are not inclined to interfere with the impugned order.

6. Accordingly, instant writ petition is dismissed.

(V.N. Sinha, J)

(Aditya Kumar Trivedi, J)

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