

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2687 of 2014

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Kanchan Devi wife of Santosh Kumar Yadav Resident of Village-
Chhechhani, P.O.- Belsandi, P.S.- Bithan, District- Samastipur

.... Petitioner/s

Versus

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1. The State of Bihar through the Principal Secretary, Social Welfare Department, Bihar, Patna
 2. The Divisional Commissioner, Darbhanga
 3. The District Magistrate, Samastipur
 4. The Director, I.C.D.S., Social Welfare Department, Government of Bihar, Patna
 5. The District Programmer Officer, Samastipur
 6. The Child Development Programme Officer (C.D.P.O.), Bithan, Samastipur
 7. The Mukhiya, Gram Panchayat Narpa, Bithan Samastipur
 8. The Secretary, Gram Panchayat Narpa, Bithan, Samastipur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Satyendra Kumar Jha, Advocate
Mr. Sita Ram Yadav, Advocate
Mr. Manoj Kumar, Advocate
For the Respondent/s : Mr. Rakesh Prabhat, AC to SC-21

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 14-09-2016 Heard Mr. Satyendra Kumar Jha, learned counsel

appearing on behalf of the petitioner and Mr. Rakesh Prabhat,

Assisting Counsel to SC-21.

The petitioner has endeavoured to question the order dated 19.11.2013 passed by the Divisional Commissioner, Darbhanga in Anganbari Appeal No. 48 of 2013 whereby the order dated 06.6.2013 of the Collector, Samastipur has been confirmed in reference to the earlier order passed by the said authorities in earlier round of proceedings.

The proceedings on record reflects that the petitioner



being aggrieved by the order dated 13.2.2010 of the Collector, Samastipur whereby her appointment as Anganwari Sahayika was terminated and which order was confirmed in Miscellaneous appeal No. 59 of 2010 preferred by the petitioner before the Divisional Commissioner, Darbhanga, whereby the appeal was dismissed on 13.12.2011, questioned the same in CWJC No. 1836 of 2012. The matter was considered on 23.3.2012 and the petitioner sought to withdraw the writ petition to again pursue the matter before the District Magistrate, Samastipur. Obviously, a second round plea by the petitioner before the disciplinary authorities could not give any other result then as found at Annexure-9, and which has been confirmed by the Commissioner, Darbhanga Division vide Annexure-11. In my opinion a reiteration of the position by the Collector, Samastipur as affirmed by the Divisional Commissioner, Darbhanga by the orders impugned in reference to the earlier orders of termination passed in the case of the petitioner, cannot give a fresh cause of action to the petitioner.

Accordingly, in view of the position reflecting from the order of this Court passed in CWJC No. 1836 of 2012, the writ petition is disposed of.

(Jyoti Saran, J)

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