

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8484 of 2011

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Usha Devi @ Usha Kumari W/O Sri Vijay Das Resident of Village-Bhagwanpur,
P.O.+ P.S.-Dariyapur, District- Saran.

.... Petitioner

Versus

1. The State of Bihar
2. The Director Welfare Department Govt. of Bihar, Patna.
3. The Collector Saran at Chapra.
4. The District Welfare Department Saran at Chapra.
5. The Child Development Project Officer Anchal- Dariyapur, Saran.
6. The Mukhiya Gram Panchayat Raj, Mahammadpur, Anchal- Dariyapur, Saran.
7. The Secretary Gram Panchayat Raj- Dariyapur, District- Saran
8. Sarswati Devi @ Sarswati Kumari W/O Sri Arun Kumar Resident of Village-Bhagawanpur, P.O.+ P.S- Dariyapur, District- Saran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Umeshanand Pandit

For the Respondent/s : AC to Addl. Advocate General - 15

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL JUDGMENT

Date: 13-01-2016

Heard Sri Umeshanand Pandit, learned counsel for the
petitioner and learned A.C. to Addl. Advocate General – 15.

Despite valid service of notice, the respondent no. 8 has
preferred not to appear and as such, the case was heard ex parte
against respondent no. 8.

The petitioner, invoking writ jurisdiction of this Court
under Article 226 of the Constitution of India, has prayed for
quashing of appointment of respondent no. 8 on the plea that the
junior to the petitioner was appointed as Aanganbari Sevika.

In the writ petition, no such detail has been mentioned

that earlier litigation had taken place and finally, the matter was remitted back by the Commissioner to the Collector to examine the matter afresh on the basis of complaint filed by Kumari Usha.

By way of filing counter affidavit, entire fact has been brought on record, from which, it appears that after the matter was remitted back by the order of the Divisional Commissioner, Saran at Chapra, the District Collector, Saran (Chapra) in Case No. 33 of 2011 examined the entire thing. He did not find any irregularity in the appointment of Aanganbari Sevikas of different Aanganbari Centres, including Aanganbari Centre No. 198. Though, the matter was initiated on the basis of complaint filed by the complainant, despite service of notice, she did not appear and as such, order was passed by the Collector on 24-09-2011 in Case no. 33 of 2011. The District Collector considered that no irregularity was committed in the said appointment.

No rejoinder to the counter affidavit has been filed.

In view of facts and circumstances, I do not find any ground to pass any positive order in favour of the petitioner.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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