

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12077 of 2008

=====

Ranjita Kumari wife of Sripati Sahni of village Rewati Tole Dhanushi P.S. Riga,
District Sitamarhi

.... Petitioner

Versus

1. The State of Bihar through its Chief Secretary.
2. The Commissioner-cum-Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director, Integrated Child Development Scheme, Patna, Govt. of Bihar, Patna.
4. The Commissioner, Tirhut Division, Muzaffarpur.
5. The District Magistrate-cum-Collector, District Sitamarhi
6. The District Welfare Officer, District Sitamarhi
7. The Child Development Project Officer, Block Riga, District Sitamarhi.
8. The Block Development Officer, Block Riga, District Sitamarhi
9. Mukhiya, Gram Panchayat Raj Rewati P.S. Riga, District Sitamarhi
10. Poonam Devi wife of Jawaharlal Karu, Village Rewasi Tole Dhamshi P.S. Riga, District Sitamarhi.
11. Nisha Kumari wife of Vijay Mandal, Village Rewasi, P.S. Riga, District Sitamarhi
12. Rita Kumari wife of Gauri Shankar Mandal, Village Rewasi, P.S. Riga, District Sitamarhi
13. Pushpam Priyadarshini wife of Umesh Kumar, village Rewasi, P.S. Riga, District Sitamarhi.
14. Kusum Devi wife of Ravish Kumar of Village Rewasi P.S. Riga, District Sitamarhi
15. Rita Devi wife of Sanjay Paswan, of village Rewasi, P.S. Riga, District Sitamarhi
16. Bharti wife of Sohan Ram of village Rewasi, P.S. Riga, District Sitamarhi

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Nirmal Kumar Sinha, Advocate

For the Respondents : Mr. Alok Kumar Rahi, AC to GP 21

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-08-2017

Heard learned counsel for the petitioner and learned
counsel for the respondents.



2. The present writ petition has been filed for quashing the order dated 12.05.2008 contained in Annexure-5 series passed by the learned Commissioner, Tirhut Division, Muzaffarpur in Employment Appeal No. 18/2008.

3. Learned counsel for the petitioner submits that the petitioner having succeeded in her application before the District Magistrate by which selection of 7 *Anganbari Sevikas* was cancelled, she ought to have been noticed by the Commissioner before disposal of the appeals filed at the instance of 7 aggrieved *Anganbari Sevikas*. It is also submitted that the Commissioner has not gone through the records before disposing of the said appeals which vitiates the order passed.

4. Learned counsel for the respondents, on the other hand, points out that against the appellate order of the Commissioner, the petitioner herself had approached the Commissioner with her petition dated 30.12.2009 (Annexure-B to the counter affidavit) raising similar grounds with regard to the absence of records and also in absence of any representation from other side, before disposal of the appeals. Such application, however, stood dismissed by order dated 17.06.2013 (Annexure-C to the counter affidavit) for want of prosecution by the petitioner. The above facts are not disputed as no rejoinder has been filed on behalf of the petitioner to controvert such facts.

5. In the above circumstances and considering that the



petitioner did not show interest in pursuing her application before the Commissioner and allowed the case to be dismissed for want of prosecution, this Court does not find any ground to interfere with the impugned orders. The writ petition stands dismissed.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02.08.2017
Transmission Date	N.A.

