

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11364 of 2008

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Sushma Devi W/o Shri Ranjan Kumar resident of village Agarpur, Panchayat at
Dewa, Prakhanda Dhanarua, P.O. Dewa, District Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner –cum-Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. District Magistrate, Patna
4. C.D.P.O., Dhanarua, Patna
5. S.D.O., District Welfare Officer, Patna
6. Smt. Manti Devi @ Nishu Kumari, W/o Shri Shiv Bahadur Prasad, Village Dalautpur, P.O. Dewa, P.S. Dhanarua, District Patna.

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondents : Mr. Kaushal Kr. Jha, AAG 8

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-06-2017

The present writ petition has been filed for cancellation of selection of the respondent no. 6 as Aganbari Sewika for Dewa Panchayat and for appointment of the petitioner as Aganbari Sewika.

2. None appears on behalf of the petitioner despite repeated calls.

3. A perusal of the record discloses that the notice was directed to be issued to respondent no. 6 but owing to petitioner's failure to file requisite within the peremptory time, the writ petition stood dismissed as against the respondent no. 6. By order dated 08.04.2017, however, on the prayer of the petitioner, six weeks' time was granted to the petitioner for taking steps for having the case



restored as against respondent no. 6. But no such restoration application has been placed on record nor learned counsel for the petitioner has appeared to show that any such restoration application has been filed.

4. Considering that the respondent no. 6 is a necessary party, who has been appointed as Aganbari Sewika, this writ petition cannot proceed in absence of respondent no. 6, who has a right to be heard before any adverse order is passed. The writ petition is accordingly dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.06.2017
Transmission Date	N.A.

