

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1972 of 2016
IN
Civil Writ Jurisdiction Case No. 2280 of 2014**

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1. Renu Chaurasia Wife Of Manoj Kumar Chaurasia Resident Of Village -
Manoharpur, P.S. Madhusudanpur, District - Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar
2. Commissioner, Bhagalpur Division, Bhagalpur.
3. The Collector, Bhagalpur.
4. District Programme officer Bhagalpur.
5. C.D.P.O. Nath Nagar, District- Bhagalpur.
6. Sweta Gosh, Wife of Suman Sinha @ Bimlendu Kumar Sinha, resident of
Village Manoharpur, P.O.- Shahjadpur, P.S.- Nath Nagar, District- Bhagalpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jitendra Kumar Roy

For the Respondent/s : Mr. KAUSHAL KR.JHA-AAG8

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 24-04-2017

Delay in filing the appeal is condoned and I.A.

No.8288 of 2016 disposed.

2. Seeking exception to an order dated 6.10.2015
passed by the learned Writ Court in C.W.J.C. No.2280 of 2014, this
appeal has been filed under Clause 10 of the Letters Patent.

3. Petitioner herein filed the writ petition in question
challenging the order (Annexure-10) passed by the Divisional
Commissioner, Bhagalpur in the matter of appointment of an



Anganwari Sevika. The Commissioner examined the matter in detail and finding various irregularities committed in the matter of appointment of Anganwari Sevika, directed for conducting the exercise of selection afresh. The learned Writ Court examined the same and found that in directing for conducting the selection afresh and in holding that the selection process has not been properly conducted, the Commissioner has not committed any error. The writ petition was thus disposed of.

4. Learned counsel for the appellant inviting our attention to the order passed by the District Magistrate tried to indicate that the District Magistrate having found the petitioner to be eligible for appointment had directed for her appointment, but the Divisional Commissioner has directed for fresh appointment which was not warranted.

5. We find that the Divisional Commissioner in his order has indicated that even the selection of the present petitioner becomes doubtful in view of the fact that she is not found to be a person living in the local area and, therefore, her appointment is also under cloud and taking note of all these factors, the order has been passed for making fresh appointment wherein all candidates were directed to be considered afresh.

6. In our considered view, no error has been



committed either by the Divisional Commissioner or by the learned Writ Court in doing so warranting re-consideration. That apart, by this time the entire selection process should have been completed as the orders were passed more than two years back.

7. Taking note of all these factors, we see no reason to interfere into the matter and accordingly dismiss the appeal.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

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