

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.926 of 2014
IN
Civil Writ Jurisdiction Case No. 22031 of 2012**

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Amira Kumari W/o Sri Keshav Paswan Resident of Paswan Tolla Dumra
Panchayat, P.S. Andhra Thari, District Madhubani.

.... Appellant/s

Versus

1. The State of Bihar through Principal Secretary Social & Welfare Department,
Govt. of Bihar.
2. The Divisional Commissioner, Darbhanga.
3. District Magistrate, Madhubani.
4. District Program Officer, Madhubani.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Deepak Kumar

For the Respondent/s : Mr. SC10- S.S. Prasad

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 03-04-2017

Heard learned counsel for the appellant and perused
the limitation petition.

There is a delay of one year and thirty eight days in
filing the appeal.

The Court is not satisfied with the reasons provided for
such delay in filing the appeal.

The limitation petition, i.e., I. A. No. 4803 of 2014, is
dismissed.

The matter is thereafter heard even on merit to test the
merit.

The removal was of the year 2004 from the post of



Anganwari Sevika. Writ application was dismissed on 11.12.2012.
Now, we are in the year 2017.

If appointment has been made against the vacancy so caused, a new cause of action has already arisen. If the position has not been filled up, the petitioner may become an applicant for consideration, if she fulfills the requirement of such appointment.

Appeal has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	04.04.2017
Transmission Date	

