

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.887 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 3443 of 2015**

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Anokha Devi, Wife of Arun Kumar Yadav, D/o Shiv Narayan Yadav, R/o Village-
Khesradih, P.S.- Kusheshwar Asthan, District- Darbhanga.

.... Appellant

Versus

1. The State of Bihar through Director (I.C.D.S.) Social Welfare Department, Govt. of Bihar, Patna.
2. The Commissioner, Division, Darbhanga.
3. The District Magistrate, Darbhanga.
4. The District Programme Officer, Darbhanga.
5. The Child Development Project Officer, Block- Kusheshwar Asthan, District- Darbhanga.
6. The Mukhiya, Gram Panchayat Raj Bhindduwa, Block- Kusheshwar Asthan, District- Darbhanga.
7. The Secretary / Mukhiya, Gram Panchayat Raj Bhindwara, Block- Kusheshwar Asthan, District- Darbhanga.
8. Shazamni, W/o Sri Shivji Mukhiya, R/o Village- Bhinduwa, P.S. Kusheshwar Asthan, District- Darbhanga.

.... Respondents

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Appearance :

For the Appellant : Mr. Pancham Lal Jaiswal, Advocate.
For the Respondents : Mr. Madhuresh Prasad, G.P. 12.

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)
Date: 20-01-2017**

Heard Learned Counsel for the Appellant and Learned
Counsel for the Respondents.

The challenge in the present Letters Patent Appeal is to an
order passed by the Learned Single Bench of this Court on 10th of
March 2015 in C.W.J.C No. 3443 of 2015, whereby the writ
application filed by the appellant, seeking her reinstatement on the



post of Anganbari Sevika by quashing the order dated 30.12.2014 passed by the Divisional Commissioner, Darbhanga in Anganbari Appeal No. 21 of 2013-14, has dismissed.

In view of the fact, the appellant doesn't belong to Extremely Backward Class, which class constitutes dominant population of the ward where Anganbari Centre No. 64 is running. As per reservation roster the said Centre was reserved for EBC Candidates, therefore the appointment of the appellant, who belongs to Backward Class, is bad, as being made against the reservation roster.

We are also of the view, as expressed by the Learned Single Bench that though the appellant has continued for six years on the post but the same doesn't give any right to continue further, since her appointment is bad.

Therefore, we do not find any valid reason to interfere with the order of the Learned Single Bench. Consequently, the Letters Patent Appeal is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

U.K./-

AFR/NAFR	NAFR
CAV DATE	NA
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