

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1254 of 2017

IN

Civil Writ Jurisdiction Case No. 5375 of 2014

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Pinki Kumari, The Present Anganwari Sevika, Centre No.115, Nepura 1, Wife Of
Ripu Kumar Resident Of Village Nepura, P.S. Silao, District - Nalanda

.... Appellant/s

Versus

1. The State Of Bihar Through The Director, ICDS, Patna.
2. The Director, ICDS Directorate, Government Of Bihar, Indira Bhawan, Patna.
3. The Deputy Director, Department Of Social Welfare, Government Of Bihar,
Patna Division, Patna
4. The District Magistrate, Nalanda At Biharsharif
5. The District Programme Officer, Nalanda At Biharsharif
6. The CDPO, Silao, District Nalanda
7. The State Level Inquiry Team, Training Officer, ICDS, Directorate,
Government Of Bihar, Indira Bhawan, Patna
8. Smt. Uganta Devi @ Uganta Kumari Wife Of Shailendra Singh, Anganwari
Sevika Centre No.115, Nepura 1, Resident Of Village Nepura, P.S. Silao,
District - Nalanda

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Avanindra Kumar Jha

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

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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: 02-05-2018

Heard counsel for the appellant and counsel for the State.

Since the selection and appointment of the present
appellant on the post of Anganwari Sevika was out of contingency



that the earlier appointed Sevika was removed on set of certain charges. However, since such removal has been held to be bad by the learned Single Judge in his detailed order dated 08.08.2017, therefore, she has to be restored back to her position as Anganwari Sevika. The present appellant did not have a vested right of continuance for the reasons that it was the vacancy caused due to the order of removal which was ultimately found by the High Court to be illegal and, therefore, she has to be removed to make way for the original appointee. No interference is warranted with the order dated 08.08.2017 passed by the learned Single Judge.

Appeal stands dismissed.

(Ajay Kumar Tripathi, J)

Devendra/Arjun

(Nilu Agrawal, J)

AFR/NAFR	NAFR
CAV DATE	NA
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