

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2324 of 2016

In
Civil Writ Jurisdiction Case No.6816 of 2010

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Rani Kumari, Wife of Pramod Kumar, resident of village - Suratpur Vidha,
Ward No. 14, P.O. Balkunda, P.S. Mahua, District - Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. The Commissioner, Tirhut Division, Muzaffarpur
3. The Collector, Vaishali at Hajipur
4. The District Programme officer, Vaishali at Hajipur
5. The Sub - Divisional officer, Mahua Sub - Division at Mahua, Vaishali
6. The Child Development Project officer, Raja Pakar Block at Raja Pakar,
District - Vaishali
7. The Panchayat Sachiv, Gram Panchayat Raj - Narayanpur Bujurg, Block
Rajapakar, District - Vaishali
8. The Mukhiya, Gram Panchayat Raj - Narayanpur Bujurg, Block Rajapakar,
District - Vaishali
9. Kumari Kanchana Mahto, Wife of Late Manoj Kumar, resident of village -
Suratpur Vidya, P.O. Belkunda, P.S. Mahua, District - Vaishali
10. Smt. Rinku Kumari, Wife of Sri Sunil Kumar, resident of village - Suratpur
Vidya, P.O. Belkunda, P.S. Mahua, District - Vaishali

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar
Advocate

For the Respondent/s : Mr. Mritunjay Kumar
AC to A.A.G. - 6

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

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

10 17-01-2018 Heard learned counsel for the appellant and counsel for the
State.

Perused the impugned order, dated 22.11.2016 of the
Learned Single Judge.

Since the writ application was allowed in favour of the
petitioner, who is the private-respondent in the appeal, the



present appeal has been preferred.

A new story, new facts are sought to be introduced or urged at the bar by the counsel for the appellant for setting aside the order of the Learned Single Judge.

The Court has verified from the writ records that the story sought to be made out by the appellant that there was certain error of facts with regard to the Ward or Tola, for which the present appellant was rightly selected on the post of Anganwari Sewika, was not the issue before any of the authorities, much less before the Learned Single Judge. What was not urged or placed cannot become the foundation for interfering with the order of the Learned Single Judge, because adjudication has to be made on the basis of pleadings and arguments so made before the said forum and not a new story, which is sought to be introduced now without the foundation.

The Court, therefore, is not inclined to interfere with the order, dated 22.11.2016, passed by the Learned Single Judge.

Appeal is dismissed, accordingly.

(Ajay Kumar Tripathi, J)

skm/-

(Nilu Agrawal, J)

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