

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 10338 of 2013

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Rijanti Devi Wife Of Shri Subodh Kumar Resident Of Village - Amar Anand
Bigha, P.O. - Shankardih, P.S. - Upahara, District - Aurangabad

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna
3. The Director, Panchayati Raj Department, Government of Bihar, Patna
4. The District Magistrate, Aurangabad, District - Aurangabad
5. The District Panchayat Raj Officer, Aurangabad, District - Aurangabad
6. The Sub-Divisional Officer, Aurangabad, District - Aurangabad
7. The Block Development Officer, Goh, District - Aurangabad
8. The Sarpanch, Goh Gram Kachahari, Amari, Block - Goh, District - Aurangabad

.... Respondent/s

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 29-08-2018

Heard learned counsel for the petitioner. None appears for the State.

2 The petitioner has challenged the order dated 02.02.2013 whereby the petitioner has been removed from the post of Gram Kutchery Secretary. The writ petitioner has challenged the said order by asserting that her appointment under order dated 05.06.2009 was after due process and in accordance with law.

3 The petitioner's appointment under order dated 05.06.2009 has already been considered by this Court in the proceedings arising out of *CWJC No 14676 of 2009*. By order dated 19.11.2009, the order appointing the petitioner under the



communication dated 05.06.2009 was set aside. As a result of the said order dated 19.11.2009 passed in *CWJC No 14676 of 2009*, the petitioner's appointment has already been set aside. The order dated 02.02.2018 (Annexure 7) is merely a consequence of the said order dated 19.11.2009 passed in *CWJC No 14676 of 2009*, which has never been challenged by the petitioner.

4 Having filed appeal against the order passed in *CWJC No 14676 of 2009*, the petitioner has withdrawn the *Letters Patent Appeal No 764 of 2010* as is evident from order dated 19.01.2012 passed therein.

5 In view of the aforesaid facts and circumstances, the impugned order having been issued in compliance of this Court's earlier order passed in *CWJC No 14676 of 2009*, there is no occasion for this Court to interfere with the order dated 02.02.2013 (Annexure 7).

6 The writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
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