

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3128 of 2016

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Vimala Kumari Wife of Devanand Sao resident of village - Etown, P.O. Mananpur, P.S. Chanan, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director Integrated Child Development Services Social Welfare Department, Bihar, Patna
3. The Divisional Commissioner, Munger
4. The District Magistrate, Lakhisarai
5. The District Programme officer, Lakhisarai
6. The District Welfare Officer, Lakhisarai
7. The Child Development Project officer, Lakhisarai
8. Kaushaliya Devi, Mahila Supervisor under Block Chanan, District Lakhisarai
9. Mintu Kumari A.N.M. Health Upkendra Mananpur, P.S. Chanan District Lakhisarai
10. The Mukhiya Gram Panchayat Raj, Etown, P.O. Manapur, P.S. Chanan, District - Lakhisarai
11. Pratima Kumari Wife of Manoj Choudhary Centre No. 121, Pasi Tola, Etown (Sevika) village - Etown, P.O. Mananpur, P.S. Chanan, District - Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Respondent/s : Mr. Raghwanand, GA XI
MR. Prabhat Kumar, AC to GA XI

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 04-04-2019

Petitioner has filed a writ petition in the year 2016 seeking quashing of the order dated 23.01.2008 passed by the Director, Integrated Child Development Services, Social Welfare Department, Bihar, Patna canceling the petitioner's selection as Anganwari Sevika on account of some allegations.



The writ petition has been filed after delay of eight years. That coupled with the nature of employment of the petitioner, which definitely was not a government service clearly constitutes a hurdle in exercise of jurisdiction under Article 226 of the Constitution of India. The issue is not only one of lapse of eight years but laches of the petitioner also, which admittedly has given rise to a third party right as respondent no. 11 has come to be selected in place of the petitioner.

Having regard to the aforesaid circumstance, this Court does not consider it an appropriate case to exercise the discretionary remedy in favour of the petitioner.

Writ petition is dismissed.

(Madhuresh Prasad, J)

Prakash/-

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CAV DATE	
Uploading Date	
Transmission Date	

