

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 13183 of 2014

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Jayanti Devi, wife of Umakant Upadhyay, resident of Village – Gosaipur, PS
– Shahpur, District - Bhojpur

... .. Petitioner/s

Versus

- 1 The State of Bihar
- 2 The Principal Secretary, Social Welfare, Government of Bihar, Patna
- 3 The Director, Integrated Child Development Scheme (ICDS) Directorate,
Department of Social Welfare, Government of Bihar
- 4 The Collector, Bhojpur at Ara
- 5 The District Programme Officer, Bhojpur at Ara
- 6 The Child Development Project Officer, Shahpur, District – Bhojpur
- 7 The Mukhia, Gram Panchayat Raj Simaria, Ojha Patti Shahur, District –
Bhojpur
- 8 The Panchayat Secretary, Gram Panchayat Raj Samaria Ojha Patti, Block –
Shahpur, District - Bhojpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Ansuman Singh, Advocate
For the Respondent/s : Mr Ashish Kumar Lal, AC to GA V

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 02-07-2019

Heard learned counsel for the petitioner and the
respondent-State.

2 It is submitted by the petitioner's counsel that the
petitioner's selection as Angan Bari Sahayika has been cancelled
by order dated 06.05.2008 without affording any opportunity of
hearing. Placing reliance on a judgment of this Court in CWJC No
5342 of 2010 dated 25.11.2010, prayer is made that the petitioner



may also be relegated to the remedy before the District Programme Officer.

3 Writ petition against the cancellation of petitioner's selection has been filed six years after the order. In the writ petition, there is no pleading as regards the reasons for delay in approaching this Court. The alleged similarity in the manner of cancellation of selection is not the only factor which is to be considered by this Court under Article 226 of the Constitution of India. Gross laches are apparent on the record wherein for six years even after cancellation of petitioner's selection, no steps or remedy have been taken thereof nor is there any whisper in the writ petition as to delay in approaching this Court.

4 This Court is, therefore, not inclined to exercise jurisdiction in favour of the petitioner.

5 Writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	AFR
CAV DATE	NA
Uploading Date	04.07.2019
Transmission Date	NA

