

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14096 of 2014**

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Priti Kumari Wife of Sri Ajay Kumar Resident of Village - Sikkat, P.O. -  
Sikkat, P.S. Barari, District - Katihar.

... .. Petitioner

Versus

1. The State Of Bihar through the Secretary, Social Welfare, Government of Bihar Patna
2. The Regional Development Commissioner, Purnea.
3. The Regional Development Officer Purnea Division, Purnea.
4. The District Magistrate, Katihar.
5. The District Programme Officer, Katihar.
6. The Sr. Deputy Collector Incharge, Zila Jan Sikayat Kosang, Katihar.
7. The Block Development Officer, Barari, District Katihar.
8. The Child Development Officer, Barari, District - Katihar.
9. The Education Extension Officer, Barari, District - Katihar.
10. Nisha Rani Wife of Arun Kumar Biadhya Resident of Village - Sikkat, P.O. -  
Sikkat, P.S. Barari, District - Katihar.

... .. Respondents

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**Appearance :**

For the Petitioner/s : None  
For the Respondent/s : Mr.Sc23 Kumar Priya Ranjan

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

5      17-09-2019                      Referring to the decision of the Apex Court in the case  
  
of *Poonam Kumari Vs. State of Uttar Pradesh* reported in  
*(2016) 2 SCC 779*, Counsel for the State submits that the  
petitioner, who was appointed on a vacancy created by removal  
of respondent No. 10, had no independent right. Once the  
authorities found removal of respondent No. 10 to be illegal the  
benefit of such order could not have been denied to respondent  
No. 10. Removal of the petitioner, therefore, is only as



consequence of determination of rights of respondent No. 10.  
The petitioner's right which accrued in the meantime had no independent existence and, as such, she would have to make way for respondent No. 10.

Since none appears on behalf of the petitioner, without going into merit of the said submission, the writ petition is dismissed for want of prosecution.

**(Madhuresh Prasad, J)**

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