

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1628 of 2015

In
Civil Writ Jurisdiction Case No.12256 of 2014

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Kanti Kumari W/o Sri Awadhesh Prasad, Resident of Village- Khorampur,
P.O.P.S.- Hilsa, District- Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar and Ors.
2. The Commissioner, Patna Division, Patna.
3. The Director, I.C.D.S., Bihar, Patna.
4. The Collector, Nalanda at Biharsharif.
5. The District Programme Officer, Nalanda at Biharsharif.
6. The Assistant Director, Social Security, Bihar sharif, Nalanda.
7. The Child Development Project Officer, C.D.P.O. Hilsa, Nalanda.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Dharmendra Kumar, Adv.
For the Respondent/s : Mr.Vinay Kirti Singh- GA3

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 23-01-2019

Heard Dr. Mayanand Jha, learned counsel for the
appellant and Mr. Vijay Kumar Verma, A.C. to G.A.2 for the State.

This intra-court appeal arises from the judgment and
order dated 07.07.2015 passed by a learned Single Judge in
C.W.J.C. No.12256 of 2014 whereby the writ petition was
dismissed. Pleadings on record would reflect that it is finding the
appellant- writ petitioner wanting on her discharge as Anganbari
Sevika that on the basis of an inspection that was made, that a



decision was taken to relieve her from duty and following which she was terminated. It is after having approached the authorities that she filed the writ petition in question and which has been dismissed on 07.07.2015. In between the period of dismissal of the writ petition and the consideration of this appeal, Mr. Verma learned State counsel informs that fresh selection has already been carried out for the centre in question.

Having heard learned counsel for the parties and considering the nature of misconduct which led to the termination as well as the fact that fresh appointment have already taken place on the post for the Anganbari Sevika in question in the meanwhile, we are not persuaded to interfere with the opinion of the learned Single Judge.

The appeal is dismissed.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Bibhash/-

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