

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.917 of 2017

Shanti Kumari @ Shanti Devi Wife of Sri Harender Ram, Residence of village - Nirkhi Chhapra, P.O. Police Station Barharia, District – Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Commissioner Saran at Chapra.
3. The District Magistrate, Siwan.
4. The District Programme officer, District Siwan.
5. The District Welfare Officer, District – Siwan.
6. The Block Bal Development Programme officer Barharia, District – Siwan.
7. The Block Development officer Barharia, District Siwan.
8. The Mukhiya Gram Panchayat Raj - Madhopur Post - office Block - Barharia, District – Siwan.
9. The Panchayat Secretary Gram Panchayat Raj - Madhopur Post - office Block - Barharia, District -Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav, Advocate.
For the Respondent/s : Mr. Mritunjay Kumar, Advocate AC to AAG-6

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 22-11-2019 Heard learned counsel for the petitioner and counsel appearing on behalf of the State.

2. The matter relates to appointment of Aanganwari Sevika of Centre No. 243 of Ward No. 14 under Gram Panchayat Raj, Madhopur, in the district- Siwan.

3. From the materials on record, it transpires that the process of selection had taken place in the year 2007. The petitioner was earlier engaged but her engagement was



subsequently cancelled in 2009. Against the said cancellation, the petitioner had approached the Divisional Commissioner, Saran by filing Aanganwari Appeal No.95 of 2009, which was disposed of vide order dated 18.05.2010 by remanding the matter back to the collector for him to pass an speaking order on certain points, as mentioned in the order itself.

4. It appears that the petitioner did not pursue the case before the Collector and because of her absence on several occasions, Miscellaneous Case No. 18/2010-11 pending on remand before the Collector, Siwan was dismissed for default, vide an order dated 08.03.2013. The petitioner approached this Court by filing a defective writ application, defects of which were not removed and was, therefore, not even registered.

5. Unaware of the fact that the said writ petition was not filed defect free, a counter affidavit was also prepared on behalf of the respondents for being filed in the said case, a copy of which has been brought on record by way of annexure to the counter affidavit filed on behalf of the respondent No.2.

6. Nearly four years thereafter the present writ application filed by the petitioner seeking quashing of order dated 18.05.2010, order dated 20.04.2010.

7. The laches on the part of the petitioner in



conducting the present writ application disentitles her in my view, from consideration of the case for grant of relief in a proceeding under Article 226 of the Constitution. Lack of diligence is evident from the facts which have been noted above.

8. I am not inclined to entertain this writ application, which is accordingly, dismissed.

(Chakradhari Sharan Singh, J)

T.Kr./-

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