

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2011 of 2016

In
Civil Writ Jurisdiction Case No.8446 of 2014

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Sumitra Kumari Wife of Sri Suresh Prasad Rai resident of Village - Muja, P.S.
- Saraiya, District - Muzaffarpur.

... Petitioner ... Appellant/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Welfare Department, Govt. of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The District Development Commissioner, Tirhut Division, Muzaffarpur.
5. The District Welfare Officer, Muzaffarpur.
6. The District Programme Officer, Muzaffarpur.
7. The Block Development Officer, Saraiya, District - Muzaffarpur.
8. The Child Development Project Officer, Saraiya, District - Muzaffarpur.
9. The Mukhiya, Gram Panchayat Raj Rampur Vishwanath, Block - Saraiya,
District - Muzaffarpur.
10. The Panchayat Secretary, Gram Panchayat Raj Rampur Vishwanath, Block -
Saraiya, District - Muzaffar
11. Smt. Kamni Devi Wife of Sri Suresh Thakur resident of village - Repura,
Rampur Vishwanath, P.O. - Jaitpur, Block - Saraiya, District - Muzaffarpur.

... Respondents ... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, (Ga7)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 29-01-2021

Heard learned counsel for the appellant and learned
counsel for the State.

This LPA under Clause 10 of Letters Patent Appeal
has been preferred for setting aside the judgment and order



dated 06.09.2016 passed in C.W.J.C. No. 8446 of 2014 passed by a learned Single Judge of this Hon'ble Court by which the learned Single Judge has directed to re-advertise and hold fresh selection on the post of Aaganwari Sevika.

Petitioner had filed the writ petition for a direction to appoint her against the post of Aaganwari Sevika after appointment of respondent no.11, Kamni Devi, has been set aside by the District Programme Officer, Muzaffarpur by order dated 8.2.2014.

It is submitted on behalf of respondent no.11, Smt. Kamni Devi, that against the order dated 8.2.2014, passed by District Programme Officer, she filed an appeal before the Deputy Director, Welfare, Muzaffarpur and by order dated 17.3.2015, her appeal has been allowed and the order of removal passed against her by District Programme Officer, Muzaffarpur has been set aside and thereafter she has been reinstated and working on the post of Anganwari Sevika, a photocopy of appellate order has been placed before this Court which shall form part of record of this case.

In view of order of removal dated 8.2.2014 passed by the District Programme Officer being set aside in appeal pursuant to which respondent no.11 has been reinstated, as



such, present LPA has become infructuous and is accordingly,
dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2021
Transmission Date	NA

