

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1717 of 2022

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Reena Devi, Wife of Pramod Ram, Village- Ufraul, Ward No. 14, P.O.-
Bakhra, P.S.- Saroya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Commissioner, Muzzafarpur.
3. District Programme Officer, Muzzafarpur.
4. District Magistrate, Muzzafarpur.
5. Amita Kumari, wife of Manoj Kumar Ram, R/o Village - Ufraul, P.O.
Bakhara, P.S. - Saroya District Muzaffarpur.
6. Sunaina Kumari, R/o Village - Ufraul, P.O. - Bakhara, P.S. - Saroya, District-
Muzzafarpur.
7. Child Development Project Officer, Saroya, Muzzafarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta
For the Respondent/s : Mr. S.K. Mandal (SC-3)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 18-11-2022 Today being Friday, matters are being taken up
through virtual mode, as per current procedure for hearing.

2. On account of unauthorised absence, the
petitioner's selection as *Sevika* for Centre No. 62, Ufraul in the
district of Muzaffarpur has been cancelled on 14.07.2014 by the
District Programme Officer (DPO), Muzaffarpur.

3. The same has been assailed by the petitioner after
five years by filing an appeal before the Commissioner, Tirhut
Division, Muzaffarpur in the year 2019. The appeal has also
been rejected on 15.11.2019. The appellate authority has refused



to interfere with the order passed by DPO after taking into consideration the fact of petitioner's absence from the centre in question and other similar issues like non-distribution of *Posahar*.

4. The instant writ petition has been filed more than two years after the order passed by the Commissioner on the petitioner's Anganbari Appeal No. 225/2019 on 15.11.2019.

5. This Court would find that petitioner's appeal before the Commissioner was filed nearly five years after the order of the DPO and it has taken her another two years to file the instant writ petition.

7. Order of DPO dated 14.07.2014 also shows that before the DPO, the petitioner has not stated anything in her defence.

8. The above-noted facts are demonstrative of delay as well as laches on part of the petitioner. The Court, therefore, is not inclined to exercise discretionary jurisdiction in favour of the petitioner.

9. Writ application is dismissed.

(Madhuresh Prasad, J)

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