

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4314 of 2020

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Rekha Kumari @ Rekha Devi, Wife of Lalan Prasad, R/o Village-Chakdiwan, Police Station and District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary (ICDS), Social and Welfare Department, Government of Bihar, Patna.
2. The District Magistrate (D.M.), Sheikhpura.
3. The Additional Collector, Sheikhpura.
4. The District Program Officer (D.O.O.), Sheikhpura.
5. The Child Development Project Officer, Block-Sheikhpura, District-Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr.Satish Kumar, Advocate
For the State : Mr.Gyan Prakash Ojha, G.A-7
with
Mr.Yash Mathur, AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 02-11-2022 Order dated 01.08.2011 was passed by the District Programme Officer, Sheikhpura (D.P.O.) whereby and whereunder the petitioner's selection as Anganwari Sevika was cancelled. The order was assailed in appeal before the District Magistrate, Sheikhpura (D.M.), who rejected the petitioner's appeal vide order dated 21.06.2012. The writ application has been filed assailing these two orders.

It is apparent from the pleadings in the writ petition itself that these two orders were subject-matter of earlier writ petition, bearing CWJC No.12475 of 2012, filed by the petitioner. The writ petition was dismissed on 09.10.2013. LPA



No.134 of 2014 preferred against the order passed in the writ proceedings was also rejected, whereafter it is apparent that the petitioner has moved before the Apex Court. Copy of the order passed in Special Leave to Appeal (C) No.12342/2019 is also on record, whereby and whereunder the Apex Court has dismissed the SLP by an order, which reads as follows:

"No ground is made out to interfere with the impugned order(s) passed by the High Court. The special leave petition is, accordingly, dismissed.

Pending application(s), if any, shall stands disposed of."

The Court is at a total loss to appreciate as to under what circumstance the same orders, which were assailed up to the Apex Court; and petitioner's challenge rejected, has been made the subject-matter of the instant writ proceedings afresh. The validity of the orders dated 01.08.2011 passed by the D.P.O. and order dated 21.06.2012 passed by the D.M. has been upheld up to the Apex Court. Therefore, petitioner's challenge to the same orders on the same grounds is nothing but a misconceived exercise in futility. The instant writ proceedings is a glaring example of luxurious litigation only adding to unwanted bulk of the pendency and multiplicity of litigation which apparently is misconceived; and deserves to be dismissed with heavy costs.



The writ petition is dismissed.

(Madhuresh Prasad, J)

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