

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1412 of 2018

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Rubi Kumari Wife of Birendra Kumar Das resident of village Pathadda, P.S.
Fullidumar, District Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Director, I.C.D.S. Social Welfare Department, Bihar, Patna.
3. Deputy Director, Welfare, Bhagalpur Division, Bhagalpur.
4. District Collector, Banka.
5. District Programme Officer, Banka.
6. C.D.P.O. Fullidumar, District - Banka.
7. Mukhiya, Gram Panchayat Raj, Pathadda, P.S. - Fullidumar, District - Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh
For the Respondent/s : Mr. Prashant Pratap -GP2

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 12-07-2022 Based on an Aam Sabha conducted in 2007, the petitioner by way of the instant writ proceeding is substantially seeking selection as Anganwari Sevika.

It is the specific case apparent from the petitioner's pleadings itself that subsequent to the alleged Aam Sabha of 2007, several rounds of litigation have ensued before this Court at the instance of one Poonam Kumari.

The petitioner, as per pleadings, has, for the first time, in this case raised her grievance based on an Aam Sabha of the year 2007 by filing an appeal (Annexure -4) in the year 2015-



16.

The State has, in the counter affidavit, admitted to the Aam Sabha of the year 2007, but has taken a specific stand that in view of the existing rule position, the panel created in the Aam Sabha of 2007 lapsed after three years and in supplementary counter-affidavit, it has been specifically stated that one Pinki Kumari has been selected in the year 2018 itself.

The petitioner's claim is barred by delay and laches, moreso in view of selection of the another candidate in the meantime giving rise to third party rights. This Court would also take note of the fact that petitioner is claiming selection based on Aam Sabha conducted in the year 2007, by filing this writ petition in 2022, and it is not denied or disputed by the petitioner that as per rule life of the panel is only three years.

This writ application is devoid of merit and dismissed.

(Madhuresh Prasad, J)

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