

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15450 of 2015

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Bimla Devi daughter of Bishwanath, resident of Bhattacharya Road, Panpar Tola, P.O.- G.P.O., Patna, P.S.- Gandhi Maidan, Patna, District- Patna

... .. Petitioner/s

Versus

1. The Municipal Commissioner, Patna Municipal Corporation, Patna.
2. The Additional Municipal Commissioner (Estb.), Patna Municipal Corporation.
3. The Executive Officer Kankarbagh Circle, Patna Municipal Corporation, Patna.
4. The Assistant Health Officer, Kankarbagh Circle, Patna Municipal Corporation, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
For the PMC : Mr.Ranjeet Kr. Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-09-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this is an application for issuance of an appropriate writ order or direction for quashing the order issued under the signature of Executive Officer Kankarbagh Circle, Patna Municipal Corporation, Patna vide Memo No.477 dated 19.6.2015 by which the petitioner was superannuated from the post of Sweeper of Ward No.29, Kankarbagh Circle, Patna Municipal Corporation on the basis of date of appointment mentioned as 1975 and completed 40 years of service to be superannuated since



30.6.2015.”

2. At the outset, the learned counsel for the respondent-Patna Municipal Corporation, Patna has referred to the counter affidavit, filed in the present case to submit that the impugned order dated 19.06.2015, was cancelled and then the petitioner was asked to join her duties on the post of *Safai Majdoor*, vide order dated 09.11.2015, whereafter she had also joined her duties and had finally superannuated after completing 42 years of service, with effect from 30.06.2017, vide order dated 25.03.2017, passed by the Executive Officer, Kankarbagh Circle, Patna Municipal Corporation, Patna, hence the present writ petition has been rendered infructuous.

3. The petitioner has not refuted the aforesaid contention, made by the respondents, inasmuch as no rejoinder affidavit has been filed in the present case, hence this Court finds that the present writ petition has been rendered infructuous.

4. Accordingly, the same stands dismissed.

(Mohit Kumar Shah, J)

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