

Shanti Devi, Wife of Shri Mithlesh Singh, Resident of Village- Karma, PO., P.S., District- Aurangabad.

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The District Magistrate-cum-President District Health Committee, Aurangabad, District- Aurangabad.
3. The Additional District Magistrate-cum-District Public Grievance Redressal Officer, Aurangabad, District- Aurangabad.
4. The Civil Surgeon-cum-Member Secretary, District Health Committee, Aurangabad, District- Aurangabad.
5. The In-charge Medical Officer, Primary Health Centre, Barun, Aurangabad, District- Aurangabad.

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Sharma, Advocate

For the Respondent/s : Mr.Anuj Kumar, AC to SC-12

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 06-07-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner was working under a scheme for providing basic health care related services as an “ASHA” in the Gram Panchayat. The petitioner’s services under the scheme were brought to an end by the District Magistrate-cum-President of the District Health Committee, Aurangabad, vide his order dated 06.11.2017. The writ application has been filed assailing this termination of petitioner’s contractual existence under a scheme in November, 2017, by filing a writ application in



January, 2021.

3. The petitioner's application is obviously barred by delay and laches.

4. Learned counsel for the petitioner has submitted that petitioner was filing representations.

5. It is well settled law that filing of representations cannot inure to the petitioner's benefit. Considering the issue of delay and laches as per decision of the Hon'ble Apex Court in the case of *Union of India & Ors. vs. C. Girija & Ors.* reported in *(2019) 15 SCC 633* and having regard to the nature of petitioner's existence under a scheme on contract basis, this court is not inclined to exercise its extraordinary and discretionary writ jurisdiction in favour of the petitioner.

6. Writ application is dismissed.

(Madhuresh Prasad, J)

shashank/-

U			
---	--	--	--

