

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13347 of 2022

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Pushpa Devi, wife of Jagdish Singh, resident of Village- Gaura, P.S.- Rampur
Chauram, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, Social Welfare Department, Government of Bihar, Patna.
4. The Commissioner, Magadh Division, Gaya.
5. The District Magistrate, Arwal.
6. The Child Development Project Officer, Arwal.
7. The Panchayat Secretary, Gram Panchayat Abgila, Block- Arwal, District- Arwal.
8. The Mukhiya Gram Panchayat Abgila, Block- Arwal, District- Arwal.
9. Smt. Manju Kumari, wife of Narsingh Kumar, resident of Village- Gaura, P.S.-
Rampur Chauram, District- Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Birendra Kumar, Advocate
For the State	:	Mr. Prashant Pratap, GP-2
For Respondent No.9	:	Mr. Abhinav Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 3 12-10-2023 1. Heard learned counsel for the petitioner and
learned counsel for the respondents.
2. The petitioner's selection as *Aanganwari*
Sevika was cancelled by the District Magistrate by an order
dated 16-6-2012.
3. The learned counsel for the petitioner
submits that eleven similar orders, as has been passed against the
instant petitioner by the District Magistrate, have been held to be
unsustainable and quashed by this Court in the proceedings
arising out of CWJC No. 3 of 2016. He, therefore, submits that
the Court should pass an order directing the District Magistrate,



Arwal (Respondent No. 5) to consider the petitioner's representation (Annexure-12 series) for her restoration as *Aanganwari Sevika* for the Abgila Gram-panchayat, in the District of Arwal.

4. The petitioner has approached this Court assailing the order passed by the District Magistrate in the year 2012, by filing a writ petition 10 years thereafter, i.e. in the year 2022. She is placing reliance on a judgement claiming parity with others, which also was passed in the year 2017.

5. The Court would observe that petitioner is a fence-sitter, who has approached this Court at her own pleasure. Such delay and latches cannot be brushed aside lightly as per decision of the Hon'ble Apex Court in the case of ***Chennai Metropolitan Water Supply & Sewerage Board & Ors. v. T.T. Murali Babu***, reported in ***(2014) 4 SCC 108***. The case is barred by delay and latches; and no relief can be granted to the petitioner at this belated stage.

6. The writ application is dismissed.

(Madhuresh Prasad, J)

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