

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1443 of 2019

In
Civil Writ Jurisdiction Case No.1839 of 2019

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Ribha Kumari @ Ribha Devi, aged 45 years (Female), W/o Satish Kumar Sinha, Ward No.09, Lohiya Nagar, P.O and Dist. Supaul.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
3. The Director I.C.D.S. Government of Bihar, Patna.
4. The District Collector, Supaul.
5. The District Program Officer, I.C.D.S., Supaul.
6. The C.D.P.O., Supaul.
7. Gunja Kumari, W/o Amit Kumar, resident of Ward No. 09, Lohiya Nagar Parisad, P.S. and District - Supaul.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Chandra Verma, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA 7

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 06-02-2023

Re: I.A. No. 1 of 2019

Heard I.A. No. 1 of 2019 for condonation of delay in
filing the present L.P.A.



2. For the reasons stated in the application and affidavit, delay of about 244 days in filing the present L.P.A. is condoned, I.A. No. 1 of 2019 stand allowed.

3. Matter relates to selection and appointment to the post of *Anganwari Sevika*. The appellant was a candidate for recruitment to the post of *Anganwari Sevika* in *Anganwari* Center No. 259 in the District of Supaul. Select list was prepared on 28.06.2013 while placing the appellant at serial No. 5 whereas respondent No. 7 – *Gunja Kumari* was placed at serial No. 2.

4. It is learnt that respondent No. 7 – *Gunja Kumari*'s selection was under cloud, thereafter, her selection and appointment was cancelled. In the result, official respondent proceeded to issue fresh advertisement in the year 2016. In this backdrop, the appellant is seeking selection and appointment to the post of *Anganwari Sevika* pursuant to the advertisement made in the year 2013. It is noticed that appellant has not assailed the subsequent advertisement issued in the year 2016 whereas advertisement issued in the year 2016 was for unfilled vacancy which was notified in the year 2013 and the fact that vacancy notified in the year 2013 has been carried forward in the light of State policy decision to the extent that unfilled vacancy is required to be carried forward to the next recruitment. In this case,



appellant has not assailed the subsequent advertisement so as to give effect to the advertisement in the year 2013 read with selection of the appellant and the fact that respondent no. 7 – *Gunja Kumari's* selection was nullified.

5. Accordingly, appellant has not made out a case so as to interfere with the order of the learned Single Judge dated 04.02.2019 passed in C.W.J.C. No. 1839 of 2019. Hence, present L.P.A. stands dismissed.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.02.2023
Transmission Date	NA

