

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.136 of 2022

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Neha Kumari Wife of Mantu Kumar Resident of Ward No 1 Gram-Goriyar,
P.S. Goriar District Purnia

... .. Appellant/s

Versus

1. The State of Bihar through the District Magistrate, Purnia, Bihar
2. The District Magistrate, Purnia, Bihar
3. The District Programme Officer, Purnia, Bihar
4. The Child Development Project Officer, Rupoli, Purnia
5. Smt. Sangita Kumari Wife of Avinash Kumar Mahato Resident of
Panchayat-Goriyar Ward no.1, P.S. Tikapati, District Purnia.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Sanjeev Kumar Mishra, Advocate
		Ms. Manini Jaiswal, Advocate
For the Respondent/s	:	Mr.Gyan Prakash Ojha, GA 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-08-2024

The issue raised in the appeal boils down to whether the appellant was eligible for the post of Anganwari Sevika as on the date of application i.e. 30.08.2017. Admittedly, at that point of time, the appellant's mother-in-law was in service. She resigned on 26.09.2017, which was accepted on 04.10.2017. The *Aam Sabha* was held later, is the submission of the learned Counsel for the appellant.

2. The learned Single Judge rightly found that as on



the date of submission of the application, there was a restriction insofar as the appellant’s mother-in-law being employed, which cannot be overridden by a subsequent resignation.

3. We find no reason to entertain the appeal. The appeal stands dismissed.

4. Interlocutory application, if any, shall stand closed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	NAFR
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