

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5651 of 2025

Pammi Kumari @ Pammy Kumari Wife of Arun Kumar Thakur, Resident of Village- Kursela, Paschim Tola, P.S.- Kursela, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Social Welfare department, Government of Bihar, Patna.
3. The Director, I.C.D.S. at Indira Bhawan, Boring Canal Road, Bihar, Patna.
4. The Joint Commissioner-Cum-Secretary, Regional Transport Appellate Authority (R.T.A), Purnea Pramandal, Purnea.
5. The District Magistrate, Katihar, District- Katihar.
6. The Additional Collector, Public Grievances Cell, Katihar, District- Katihar.
7. The District Program Officer (I.C.D.S.), Katihar, Dist- Katihar.
8. The Child Development Project Officer, Kursela, Dist- Katihar.

... Respondent/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal, Adv.

For the Respondent/s : Mr. Government Pleader (17)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-04-2025 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed for directing the respondent authority to conclude the hearing of case vide Misc. Appeal No.271 of 2014 (Pammi Kumar Vs. The State of Bihar & Ors.) pending before the Joint Commissioner-cum- Secretary, Regional Transport Appellate Authority (R.T.A.) Purnea and pass speaking order in accordance with law in a certain period



of time.

3. Counsel further submits that the petitioner has filed the present writ petition with a limited relief that her case pending before Joint Commissioner-cum- Secretary, Regional Transport Authority (R.T.A.), Purnea as Misc. Appeal No.271 of 2014, be directed to conclude as it is pending since then before the said authority which is annexed as annexure-1 and memo of Misc. Appeal No.271 of 2014 as annexure-2 of the writ petition.

4. Counsel further submits that the running order sheet of Misc. Appeal No.271 of 2014, maintaining upto 16.01.2025 has also annexed in the writ petition.

5. Counsel for the State submits that the present writ petition is not maintainable at all and fit to be dismissed due to the reason that the petitioner has moved before the appellate authority under the then law, her appeal was entertained and it was rejected on 03.07.2015. Therefore, the said writ petition is not maintainable. The certified copy of the entire order sheet of the said appeal has been produced before this Court and upon perusal of the same, it transpires that the said appeal which was rejected vide order dated 03.07.2015, is correct.

6. Upon hearing the parties and perusal of the document, it transpires to this Court that the basic dispute is



relating to appointment on the post of Anganwari Sevika at Anganwari Centre Code No.058 under Kursela block of District -Katihar. The real contest in this case is between the petitioner and one Ranju Devi. It also transpires that the said Ranju Devi is working as Anganwari Sevika at present, but petitioner has not added her as party respondent neither in the present writ petition nor in the alleged Misc. Appeal, which he has directed to be disposed off.

7. It transpires to this Court vide order dated 03.07.2015, the said Misc. Appeal was rejected and hearing in this case was again started and still continuing, which is matter of great surprise for this Court.

8. In this view of the matter, the present writ petition is hereby disposed off directing the authority concerned, before whom the said Misc. Appeal No.271 of 2014 has been pending still today, to go through the record afresh and pass order within 90 days from the date of production of this order, considering this aspect of the matter that vide order dated 03.07.2015, this appeal has already been rejected and the said appellate authority being a quasi judicial authority, has no power to review or reopen, once it has been rejected.

9. It is made clear that the petitioner shall have liberty



to take recourse after passing final order in Misc. Appeal No.271 of 2014, but in any further proceeding, she shall add the said Ranju Devi as party.

10. Counsel for the State has indicated that presently, the case is pending before the Additional Collector, which transpires from the copy of the original order sheet, which has been produced before this Court.

11. As such, the District Magistrate is directed to look into this matter and communicate to the authorities concerned after verification that the present record is pending before the concerned Commissioner or Additional Collector.

12. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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