

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.146 of 2019

In
Civil Writ Jurisdiction Case No.12079 of 2014

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Nisha Kumari @ Nisha Devi W/o Sri Dhananjay Kumar Singh Resident of
Village-Tarachak, P.S-Azimabad, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Director, I.C.D.S., Indra Bhawan, Ramcharitra Singh Path, Bailey Road, Patna-1.
3. The Director, Department of Social Welfare, Government of Bihar, Old Secretariat, Bailey Road, Patna.
4. The Deputy Director, Social Welfare Department, Patna, District-Patna.
5. The District Magistrate, Bhojpur, District-Bhojpur.
6. The District Programme Officer, Bhojpur, District-Bhojpur.
7. The Child Development Project Officer, Agion Block, District-Bhojpur, Ward No. 3, Tarachak, Agion Block, Anganbari Center - 110
8. Phuljhari Kumari W/o Sri Vinod Ram Resident of Village-Tarachak, P.S-Azimabad, District-Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Gyan Prakash Ojha, (GA-7)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 24-04-2025 Heard the parties.

2. The present review petition has been preferred:

*“seeking review of oral order dated 11.03.2019
passed by Hon'ble Mr. Justice Madhuresh
Prasad (as his lordship then was) in C.W.J.C.
No. 12079 of 2014 by which the writ application
preferred against the order dated 26.04.2014*



passed by the Deputy Director, Social Welfare Department, Patna in Anganbari Appeal No. 13 of 2012-13 and the order dated 26.04.2012 of the District Programme Officer, Bhojpur by which the appointment of Respondent no. 8 as Anganbari Sevika was terminated has been set aside/quashed suffers from error "Suppressio veri" apparent on the face of record warranting dismissal of the writ petition."

3. Learned State counsel has straight away submitted that the petitioner was not even party in the writ petition but has chosen to file the review. Further submits that this petitioner was chosen on the post which fall vacant due to removal of Phuljhari Kumari (original writ petitioner) and with the help of the counter affidavit, the respondent nos. 5 to 7 and has taken this Court to the selection letter dated 03.11.2016 to show that the 'Aam Sabha' while selecting the review petitioner clearly recorded that the 'Sevika' removed has preferred writ petition before the High Court and any order passed in that case will affect the present selection.

4. Learned State counsel further submits that when the Court quashed the removal of Phuljhari Kumari, naturally, in



the line of ‘Aam Sabha’ resolution, the review petitioner has to give way to the writ petitioner and thus there is no error in the Court order warranting review.

5. This Court is in complete agreement with the submissions put forward by the learned State counsel and finds no any reason to review the matter.

6. Accordingly, the Review Petition stands dismissed.

(Rajiv Roy, J)

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