

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.252 of 2019

In
Civil Writ Jurisdiction Case No.22609 of 2013

Chanchala Kumari Son of not known Resident of Nisarpura, Patna, Bihar-804453.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Commissioner / Secretary Social Welfare Department, Bihar, Patna.
3. The Commissioner Patna Division, Patna.
4. The District Magistrate Patna.
5. The District Programme Officer Patna.
6. The Child Development Projector Officer Phulwarisharif Block, Patna.
7. Shushma Kumari Lady Supervisor- cum - Enquiry Officer- cum- C.D.P.O., Punpun.
8. Yamanti Devi Wife of Shiv Manjhi Resident of village - Khadiha, P.O.- Nisarpur, P.S.- Parsa Bazar, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar, Adv.
For the Opposite Party/s : Mr. Gyan Prakash Ojha (Ga 7)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 01-05-2025 Heard the parties.

2. The present application has been filed:

*for review of the order dated
03.04.2019, passed in C.W.J.C No.
22609/2013 (Yamanti Devi Vs The State of
Bihar and Others.), passed by Hon'ble Mr.
Justice Shivaji Pandey, whereby and
whereunder the writ application filed by the
respondent/writ petitioner has been allowed
and the respondent/writ petitioner has been
directed to be reinstated as Anganwari
Shevika at the Anganwari Kendra No.- 75.*

*The aforesaid order has been
passed without hearing the review petitioner,*



who has been appointed on the post of Anganwari Shevika at Anganwari Kendra No. 75 and is working since 2014, in which place the respondent/writ petitioner has been directed to be reinstated vide order under review dated 03.04.2019.

3. Yamanti Devi was serving as Anganwari Sevika in Khatia Mushari Centre, Code No. 76, Phulwarisharif Block in the district of Patna, she was working under Pulse Polio Drive and was found absent at the centre upon inspection.

4. As the centre was closed, steps taken which resulted into her ouster.

5. Aggrieved, **CWJC No. 22609 of 2013 (Yamanti Devi Vs. the State of Bihar and Ors.)** came to be filed and the Writ Court having taken note of the fact that the decision taken by the authority to terminate the lady is illegal as on the day of inspection, she was busy in Pulse Polio Drive, in that background, the application was allowed and she was reinstated on the place she was working.

6. Chanchala Kumari (Review petitioner) in the meantime was selected and she was serving when the order in question came to be passed, she is now before this Court.

7. Learned counsel for the petitioner submits that it was a full-fledged selection and in that background, she could not have been removed. It has been informed by him that Yamanti Devi is



now no more and the centre is vacant and the fresh selection process may take place.

8. Learned State Counsel has taken this Court to the selection letter to show that in paragraph 1 itself, it has been recorded that this selection will be subject matter of any order of the Court. The specific sentence is/are as follows:

यह चयन न्यायालय के आदेश से प्रभावित होगा।

9. This Court can only sympathize with the review petitioner and if any fresh selection process is initiated, certainly as the petitioner has worked, the experience will come to her benefit, if otherwise she is found eligible. However, once the Writ Court passed an order and her selection process itself incorporated that the selection will be affected by any order of the Court, in that background, she cannot lay a claim over it.

11. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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