

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7556 of 2025

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Poonam Kumari W/o- Ambila Manjhi @ Amika Majhi @ Amika Manjhi,
Resident of Mohalla- SC/ST Tola, Mahadeca in front of Sheomandir, P.O. and
P.S.- Siwan Mufasil, District -Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Ministry of Social Welfare Department, Government of Bihar, Patna.
2. The Commissioner, Siwan.
3. The District Magistrate, Siwan.
4. Additional Collector, Siwan.
5. District Program Officer, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinesh Kumar, Advocate
For the State	:	Mr. Vivek Pd. (GP-7)
		Ms. Manisha Singh (AC to GP-7)
		Ms. Mita Kumari, (AC to GP-7)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for issuance
of an appropriate writ(s) or order(s) or direction(s) for the
following relief/s:-

*“I. For issuance of a writ(s) or order(s) or
direction(s) to respondents quashing order
dated 17-07-2023 passed by respondent no 3
in the Anganwari Appeal no-22/2022-23
whereby and where under he was pleased to
reject the application of petitioner on the*



ground of that if it is non appearance or dismissed on default and not fit for to admit, so that the court has not been given proper opportunity to hear on the ground of the matter of the petitioner, it is violation of natural justice and fit to be dismissed.

II. For issuance of writ(s) or Order(s) or direction(s) to the respondents for directing them to allow the restoration petition for the Anganwari Appeal no. 22/2022-23 to be heard and opportunity to show the actual matter before competent authority.

III. For pass such order /orders as your lordship may grant of any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

3. Learned counsel for the petitioner submits that the petitioner had earlier moved before this Hon'ble Court in C.W.J.C. No. 18638 of 2015 which was disposed of *vide* order dated 08.01.2019 with liberty granted to the petitioner to move her appeal before the appropriate authority. Subsequently, the petitioner filed modification application bearing M.J.C. No. 3321 of 2019 which was permitted to be withdrawn *vide* order dated 18.05.2022 with liberty to file her appeal before the appropriate authority. He submits that the petitioner moved her appeal, but due to counsel's mistake, hearing could not take



place and the Appellate Authority dismissed the appeal. Thereafter, the petitioner has preferred the present writ petition for setting aside the order dated 17-07-2023 passed in Anganbadi Appeal Case No.-22/2022-23.

4. Learned counsel for the State, on the other hand, submits that from the history of this case, it become crystal clear that the petitioner is not interested to contest. Counsel submits that the matter is relating to appointment of Anganbadi Sevika at Centre No. 175 of the year 2012, against which, appeal was filed before the Collector, Siwan (Appellate Authority) bearing Misc. Appeal Case No. 55/2012-13 which was dismissed by the Collector, Siwan *vide* order dated 13.08.2012 and affirmed the order of the D.P.O. Thereafter, the petitioner has preferred writ application bearing C.W.J.C. No. 18638 of 2015 which was disposed of *vide* order dated 08.01.2019 with liberty granted to the petitioner to move her appeal before the appropriate authority. Counsel further submits that the petitioner thereafter preferred modification application bearing M.J.C. No. 3321 of 2019 which was permitted to be withdrawn *vide* order dated 18.05.2022 with liberty to file her appeal before the appropriate authority in terms of order dated 08.01.2019. Thereafter, the petitioner filed Anganbadi Appeal Case No. 22/2022-23, which



was dismissed by the Collector, Siwan *vide* order dated 17.07.2023. Counsel submits that from the order impugned, it become crystal clear that after filing the said appeal i.e. Anganbadi Appeal Case No. 22/2022-23, the petitioner or her counsel never appeared before the Appellate Authority for pressing her case, and it is due to this reason, the said appeal was dismissed for default.

5. In the light of the submissions made, it transpires to this Court that the contest is going on since 2012 and the matter has already been decided by the Collector, Siwan in Misc. Appeal Case No. 55/2012-13. Thereafter, the petitioner preferred appeal before the Commissioner being Chapra Appeal No. 267 of 2012 which was also dismissed. Thereafter, the petitioner moved before this Hon'ble Court in C.W.J.C. No. 18638 of 2015. The petitioner at the time of hearing did not placed before the court that appeal has already been decided by the Collector in Misc. Appeal Case No. 55/2012-13 against the petitioner, and again preferred appeal before the Collector and the Collector in respect of order passed by this Court in C.W.J.C. No. 18638 of 2015 dated 08.01.2019 and order passed in M.J.C. No. 3321 of 2019 dated 18.05.2022 has entertained the petitioner's appeal. But, the petitioner did not appeared.



6. In this background, this Court is not inclined to interfere in this matter. Hence, the present writ petition stands dismissed.

(Dr. Anshuman, J)

Divyansh/-

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