

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.189 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 2741 of 2011**

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Poonam Bharti, W/O Sri Surendra Kumar Yadav, Resident Of Village- Jalsain
Tola, Bhagwatipur, P.S.- Rudrapur, District- Madhubani

.... Appellant/s

Versus

1. The State of Bihar Through Its Secretary, Welfare Department, Government Of Bihar, Patna
2. The Director, I.C.D.S., Government Of Bihar, Patna
3. The Commissioner, Darbhanga Divisional, Darbhanga Null Null
4. The District Magistrate, Madhubani
5. The District Programme Officer, Madhubani
6. The Sub Divisional Officer, Jhanjharpur, District- Madhubani
7. The Block Development Officer, Andhratharhi, District- Madhubani
8. The Child Development Project Officer, Block- Andhratharhi, District- Madhubani
9. The Mukhiya, Gram Panchayat Raj Jalsain, Block- Andhratharhi, District- Madhubani
10. The Panchayat Secretary, Gram Panchayat Raj, Jalsain, Block- Andhratharhi, District- Madhubani

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. LAKSHMINDRA KUMAR YADAV

For the Respondent/s : Mr. MAYANK RUKHAIYAR, AC to GA 1

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 29-04-2016

The order dated 9.9.2013 passed by the learned Single Bench passed in CWJC No. 2741 of 2011 is the subject matter in the present Letters Patent Appeal. By the said order, the claim of the petitioner for appointment as Anganwari Sevika was not accepted.

The appellant was placed at sl.no.3 in the merit list as the

candidate selected for appointment as Anganwari Sevika. The candidates at sl.no.1 and 2 of the merit list were appointed but their appointments were cancelled as the mark-sheets of both the candidates were found to be forged. The appellant claimed that as the candidate next in the merit list she should be appointed.

The learned Single Judge has dismissed the writ petition on the ground that once the appointment has been made, the panel ceases to exist. Consequent vacancy has to be filled up subsequently by initiating fresh process of selection.

We do not find any error in the order of the learned Single Judge. Consequently, we do not find any ground to interfere in the order passed by the learned Single Judge.

The appeal is dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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