

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18253 of 2013

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1. Malti Devi Wife Of Sanjiv Kumar Das Resident Of Village - Bagdar, Panchayat
- Mukuriya, P.S. Ajamnagar, District - Katihar

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Social Welfare Department Govt. Of Bihar, Patna
3. The Director, Social Welfare Department Govt. Of Bihar, Patna
4. The District Magistrate, Katihar, District- Katihar
5. The District Programme Officer, Katihar, District - Katihar
6. The Child Development Project Officer, Ajamnagar, District - Katihar
7. The Mukhiya, Grampanchayat Mukuriya, Block Ajamnagar District - Katihar
8. Chaina Ray, Anganbari Sevika Of The Centre Of Bagdar South Tola 2 of
Mukuriya Gram Panchayat, Ajamnagar, Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. DHANANJAY KUMAR GUPTA

For the Respondent/s : Mr. SANJAY KR NO.2

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

Date: 04-02-2016

Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State

The petitioner seeks to challenge the order contained in
Memo No. 782 dated 08.07.2013 passed by the District Programme
Officer, Katihar in Record No. 47 of 2013, by which the service of the
petitioner as Anganbadi Sahaika has been terminated without
considering the reply of a show-cause filed before the Collector.



Without going into the merits of the impugned order, learned counsel for the petitioner submits that the only authority to whom the petitioner could have appealed after the order was passed by District Programme Officer, dated 13.06.2013, contained in Annexure – 8, was by way of filing an appeal before the Collector. It is submitted that the application dated 16.07.2013 has been filed before the Collector which remains pending till date. He submits that the appropriate direction be issued by calling upon the Collector to decide the matter and pass appropriate orders within a certain period of time.

Considering the submissions put forth by the learned counsel for the petitioner and after considering the counter affidavit placed on record, it is directed that the petitioner shall approach the District Magistrate, Katihar along with the copy of this order within a period of two weeks from today and if the petitioner so appears before the District Magistrate Katihar, the concerned authority would pass the appropriate orders in the light of the decisions of this Hon'ble Court as also the facts and circumstances of the case of the petitioner. It is made clear that the said order is to be passed after hearing the parties including any other person, who may have been appointed on the said post in the interregnum, within a period of six weeks thereafter.

With the aforementioned observations and direction, the writ application is disposed of.

(Anjana Mishra, J)

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