

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12972 of 2013

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Farhat Naz W/O Md. Abrar Resident Of Panchayat Khutia, Village- Chandragaan,
P.S- Biasi, District- Purnea.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Director, Department Of Social Welfare,
Government Of Bihar, New Secretariat, Patna.
2. The Director, Department Of Social Welfare, Government Of Bihar, New
Secretariat, Patna.
3. The District Magistrate Purnea.
4. The District Programme Officer, Purnea
5. The Child Development Programme Officer, Baisi, Purnea.
6. The Block Development Officer, Baisi, Purnea.
7. Mushrat Khanam W/O Munna Mujasam Resident Of Village Chandragaan,
P.S- Biasi, District- Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. M.K. Agarwal, Adv.
Mr. Sanjeet Kumar, Adv.

For the Respondent/s : Mr. Indeshwari Prasad, AC to GP-3

For the Resp. No.7 : Mr. Amit Kumar Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 13-12-2016

Heard learned counsel for the parties.

In the present case, the impugned order dated 14.12.2012
has been passed by the District Magistrate, Patna, whereby, the
complaint filed by the petitioner has been rejected.

Learned counsel for the petitioner submits that that the
private respondent falls under the exclusion clause of 4.9 of the
Anganwari Scheme as the Anganwari Sevika is neither a government
employee nor a semi-government employee.

In view of the provision of appeal, learned counsel for



the petitioner wants to withdraw this application in order to file an appeal before the Divisional Commissioner.

Permission is granted.

Let the petitioner exhaust an alternative remedy before the Divisional Commissioner who, while admitting the case, will take into consideration the pendency of this writ application before this Court.

If an appeal is filed by the petitioner before the aforesaid authority within a period of four weeks from today, the appellate authority will try to dispose of the same by passing a reasoned order within a period of six months from the date of filing of the appeal. Before passing of the final order, the appellate authority shall also extend opportunity of hearing to the petitioner as also the persons concerned by giving a notice.

This application is, accordingly, disposed of as withdrawn.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.12.2016
Transmission Date	

