

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1427 of 2017

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Devanti Kumari wife of Sri Kedar Prasad @ Kedar Singh, resident of Village- Dadhpi, P.S.- Madanpur, District- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar through the District Magistrate, Aurangabad.
2. The District Magistrate, Aurangabad.
3. The Assistant Director, Integrated Child Development Scheme Directorate, Bihar, Patna.
4. The District Programme Officer, Aurangabad. null null
5. The Child Development Project Officer, Madanpur, Aurangabad.
6. The Mukhiya, Gram Panchayat Raj, Dadhpi, Block- Madanpur, District- Aurangabad.
7. The Panchayat Secretary, Gram Panchayat Raj, Dadhpi, Block- Madanpur, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr. Ac to AAG 8

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-12-2017

On account of the fact that the appellant, an Anganwari Sevika, was absent for two days when inspection of the Centre was undertaken on 05.07.2011, her services were dispensed with. However, while doing so, the question of leave application submitted by the appellant and endorsement on the same made by the Mukhiya and the fact that under similar circumstances in the case of certain other Anganwari Sevika, a Bench of this Court in Civil Writ Jurisdiction Case No.17219 of 2013 (Baijanti Kumari v.



The State of Bihar & Others) had remanded the matter back to the District Programme officer for reconsideration, we allow this appeal in part. The impugned orders passed by the learned Writ Court, the appellate authority and the District Programme Officer are quashed and the matter is remanded back to the District Programme Officer, Aurangabad to re-examine the claim of the appellant, hear the appellant and reconsider the same keeping in view the observations made in the case of Baijanti Kumari (supra). If any third party interest has created, the said third party shall also be heard by the District Programme Officer.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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