

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4680 of 2014

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1. Ranjeeta Kumari Wife Of Mukesh Kumar Resident Of Village- Chaksai, P.S.-
Dhanarua, Distt.- Patna

.... Petitioner/s

Versus

1. The State Of Bihar Through The District Magistrate, Patna
2. The S.D.O., Patna City

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. VIJAY ANAND

For the Respondent/s : Mr. GP-26 N.K.SINGH

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 02-08-2017

Heard both sides.

2. The petitioner seeks quashing of the order dated 30.09.2013 as contained in Memo No. 296 passed in Anganbari Appeal No. 48 of 2012 (Annexure-4) by which the Deputy Director, Welfare dismissed the anganbari appeal of the petitioner confirming the order of the District Programme Officer passed in Case No. 59 /10-11 on 11.02.2012 (Annexure-3) whereby the District Programme Officer cancelled the selection of the petitioner from the post of Anganbari Sevika.

3. Learned counsel for the petitioner submits that the appellate order does not disclose any reason for arriving at a conclusion to dismiss the appeal. The appellate order should at least disclose the reasons for dismissal of the appeal.



4. Learned counsel for the State has very fairly submitted that the appellate order is cryptic and does not disclose the reasons. The appellate authority should have recorded the reasons.

5. Having considered the submissions of the parties and on perusal of the order of appellate authority (Annexure-4) passed in Anganbari Appeal No. 48 of 2012, it appears that the appellate authority did not consider any grounds of the petitioner while dismissing the appeal of the petitioner, the appellate authority is law bound to disclose the reasons after considering the grounds taken by the petitioner and, that amounts to violation of principle of natural justice and the order is cryptic. Therefore, the order is not sustainable.

6. The order dated 30.09.2013 as contained in Memo No. 296 passed in Anganbari Appeal No. 48 of 2012 (Annexure-4) and the order dated 11.02.2012 Case No. 59 /10-11 on (Annexure-3) are set aside. Accordingly, the writ petition is allowed. The matter is remitted to the appellate authority to hear the petitioner and pass order afresh after giving reasons.

(Prabhat Kumar Jha, J)

KKSINHA/-

AFR/NAFR	NAFR
CAV DATE	NA
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