

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.612 of 2015

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Sujata Devi Wife of Brajraj Pandey Resident of Village- Jagannathpur
Dokra, P.O.- Chakna, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner cum Secretary, Social Welfare Department, Govt. of Bihar.
3. Director Social Welfare Department Govt. of Bihar, Patna.
4. Commissioner Tirhut Division, Muzaffarpur.
5. District Magistrate Cum Collector, Muzaffarpur.
6. District Welfare Programme Officer, Muzaffarpur
7. Child Development Project Officer, Block- Saraiya Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanosh Kumar, Adv.

Mr. Uday Prakash Sharma, Adv.

For the Respondent/s : Mr. Anil Kumar Singh, GP-26

Mr. Nawal Kishore Singh, AC to GP-26

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 06-02-2017 Heard learned counsel for the parties.

The petitioner is aggrieved by the order dated 27.12.2007 of the Director, Social Welfare Department, Government of Bihar, Patna, whereby in a sweeping manner an order of termination has been issued in respect of Centre No. 93 of village Jagannathpur Dokra, under Muzaffarpur District and directs termination of service of all Anganwari Sevikas.

It is stated by the learned counsel for the petitioner that the order has been passed without opportunity of hearing and that no order has been served on the petitioner in this regard. It is stated that the petitioner has come to know about the cancellation



through the newspaper. Such is the statement in paragraphs 9 and 10 of the writ petition. Although the petitioner has mentioned in paragraph 19 of the writ petition that she has filed an appeal before the District Programme Officer, but, in my opinion, that is a void appeal since the District Programme Officer has no jurisdiction to hear appeals.

The respondents in paragraph 6 of the counter affidavit have mentioned that against the order of cancellation of appointment, the petitioner has filed an appeal before the District Magistrate, Muzaffarpur who has admitted the case and the petitioner has been directed to submit her defence.

In the circumstances discussed above and since the matter is pending consideration before the District Magistrate, Muzaffarpur, he is directed to consider the appeal of the petitioner and dispose of the same in accordance with law expeditiously and preferably within six weeks from the date of receipt/ production of a copy of this order, after opportunity of hearing to the petitioner.

With the aforementioned observation and direction, this writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

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