

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18813 of 2008

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Kumari Chandrawati, Wife of Arun Kumar Roy, Resident of Village – Hasanpur
Naya Tola, P.S. – Mahnar, District – Vaishali.

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Vaishali at Hajipur
3. The Subdivisional Officer, Mahnar district Vaishali at Hajipur
4. The Child Development Project Officer, Mahnar, district Vaishali at Hajipur
5. Block Development Officer, Mahnar district Vaishali at Hajipur.
6. Panchayat Secretary, Gram Panchayat Raj Hasanpur Uttari, P.S. Mahnar,
district Vaishali
7. Madhuri Bharti wife of Rakesh Kumar Mishra resident of Gram Panchayat
Hasanpur Uttari Ward No. 12, P.S. Mahnar, district Vaishali.

.... Respondents

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Appearance :

For the Petitioner	: Mr. Ajay Kumar Thakur, Advocate. Mr. Md.Imteyaz Ahmad, Advocate. Mr. Ravi Ranjan I, Advocate. Mr. Shashank Shekhar, Advocate.
For the Respondents	: Mr. Mujtabaul Haque, G.P. 12 Mr. Vasant Vikas, AC to G.P. 12.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 02-02-2017

Heard both sides.

The petitioner seeks quashing of the order dated 21.06.2008 passed in Miscellaneous Case No. 92/07-08 and the consequential order as contained in Memo No. 442 dated 16.09.2008 issued by the Child Development Project Officer, Mahnar by which selection of the petitioner on the post of Aanganbari Sevika of Kendra No. 126 of Gram Panchayat Raj Hasanpur Uttari is terminated.

Shri Ajay Kumar Thakur, learned counsel for the petitioner submitted and assailed the order as contained in Annexure-



1, on the prime ground that on the petition of Madhuri Bharti, Madhuri Bharti and the officials were heard, but the petitioner was never noticed. The petitioner was duly selected to work as Aanganbari Sevika of Kendra No. 126 of Gram Panchayat Raj Hasanpur Uttari, Mahnar, Vaishali.

Learned counsel for the State could not be able to support the order of the District Magistrate, Vaishali and the subsequent order issued by the Child Development Project Officer, Mahnar issued in pursuance of the order of the District Magistrate, Vaishali terminating the engagement of the petitioner on the ground that same is violative of natural justice.

Considering the facts aforesaid, the order passed in Miscellaneous Case No. 92/07-08 (Annexure-1) is set aside and the matter is remitted to the District Magistrate, Vaishali to pass afresh order in accordance with law after hearing the petitioner.

(Prabhat Kumar Jha, J.)

KKSINHA/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.02.2017
Transmission Date	NA

