

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14513 of 2013

Beby Kumari Wife Of Late Kislay Anshuman Resident Of Raniganj, Ward
No. 7, Chakia Nagar Panchayat, Bara Chakiya, District - East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Welfare Department, Govt. Of Bihar, Patna
3. The District Magistrate, East Champaran At Motihari
4. The District Development Commissioner, East Champaran At Motihari
5. The District Welfare Officer, East Champaran At Motihari
6. The Block Development Officer, Chakiya, District - East Champaran At Motihari
7. The Child Development Project Officer, Chakiya, District - East Champaran At Motihari
8. The Ward Commissioner, Ward No.7, Chakia Nagar Panchayat, Bara Chakiya, District - East Champaran
9. Savita Singh Wife Of Dr. Vijay Kumar Resident Of Sahbajpur, P.S. Nayagaon, District - Sheohar, Presently Residing At Raniganj, Ward No. 7, Chakia Nagar Panchayat, Bara Chakiya, District - East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Respondent/s : Mrs. KUMARI AMRITA

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

Date : 14-03-2018

Heard learned counsel for the petitioner,
learned counsel for the State and learned counsel for
the private respondent no. 9.



At the outset, it has been submitted by learned counsel for the State that the present writ petition is not maintainable, as the statutory remedy available to the petitioner has not been exhausted by her before approaching this Court in writ jurisdiction.

After some arguments, learned counsel for the petitioner seeks permission to withdraw this application with a liberty to the petitioner to avail the statutory remedy as provided in the ICDS Guidelines.

Prayer is allowed.

It is however, also made clear that if an appeal is filed before the Appellate Authority, the Appellate Authority shall consider the appeal of the petitioner and condone the delay in filing the application keeping in view the fact that the writ petition of the petitioner was pending before this High Court since 2013 and decide the same on merit within a period of six months from the date of receipt/production of a copy of this order, after granting opportunity of hearing to all the concerned parties.



This application is dismissed as withdrawn
with the aforesaid liberty.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	14.03.2018
Transmission Date	N.A.

