

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3280 of 2015

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Reena Yadav Wife of Sri Manoj Kumar resident of Village - Bania, Post -
Bharaundha, P.S. - Gurua, District – Gaya Petitioner

Versus

1. The State of Bihar through the Secretary, Social Welfare Department,
Government of Bihar, Patna.
 2. The District Magistrate, Gaya.
 3. The District Programme Officer, Gaya.
 4. The Child Development Project Officer, Gurua, Gaya.
 5. The Child Development Project Officer, Khijar Sarai, Gaya.
 6. The Lady Supervisor , Gurua, Gaya.
 7. Bimla Devi Wife of Sunil Paswan resident of Village - Bania, Post -
Bharaundha, P.S. - Gurua, District – Gaya Respondents
- =====

Appearance :

For the Petitioner : Mr. Gyan Prakash, Advocate
For the State : Mr. Revti Kant Raman, AC to SC 11
For respondent no.7 : Mr. Virendra Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 16-07-2018

Heard learned counsel for the petitioner, the State and
respondent no.7.

Petitioner's counsel submits that her selection was
pursuant to Aam Sabha in accordance with law still she has been
sought to be removed to accommodate respondent no.7 pursuant to
order dated 29.11.2014 bearing memo no. 1862, passed by he
District Programme Officer, Gaya (hereinafter referred to as the
D.P.O, Gaya) directing for reinstatement of respondent no.7.

Learned counsel for the petitioner submits that order
has been passed without giving opportunity of hearing to the



petitioner.

Counter affidavit has been filed by respondents. A bald statement has been made that the appointment of respondent no.7 has been made subject to the result of the pending appeal. However, no document has been placed on record in support of the said assertion.

Since, the issue is one of facts which can only be examined by the respondents, this Court considers it appropriate to provide an opportunity to the petitioner to approach the authorities by filing an appeal against order dated 29.11.2014 passed by the D.P.O., Gaya.

The writ petition is disposed of.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.07.2018
Transmission Date	NA

