

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 5042 of 2015

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Kavita Kumari @ Kavita Devi, W/o Arbind Kumar Yadav, resident of Village:
Bhangarua, P.S: Madhuban, District: Motihari, East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Deputy Director, Welfare, Tirhut Division, Muzaffarpur.
3. District Magistrate, East Champaran, Motihari.
4. District Programme Officer, East Champaran, Motihari.
5. Child Development Project Officer, Madhuban, East Champaran, Motihari.
6. Smt Kumari Laxmi Rai, Sevika, Anganwari Kendra Sankhya-100, Pariyojnma
Madhuban, District: East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Rajesh Kr Sharma, Advocate
For the S t a t e : Mr Ravi Ranjan, AC to SC XXII
For Respondent No 6 : Mr Sanjeet Kumar, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 27-08-2018

Heard learned counsel for the petitioner, private
respondent No 6 as well as respondent-State.

2 The common case of the parties, as is apparent from
the order dated 10.12.2014 passed by the Deputy Director, Welfare,
Muzaffarpur, is that the petitioner was not heard and in spite of the
said fact, the order has been issued whereby she has been made to
move from Ward No 1 to 3.

3 Since this limited issue is before this Court, interest of
justice will be served if the Deputy Director, Welfare, Muzaffarpur



(respondent No 2) shall reconsider the matter and after hearing the instant petitioner, fresh orders may be passed on Appeal No 41 of 2013-2014.

4 The petitioner as well as private respondent No 6 would be obliged to appear before respondent No 2 on 10th of September 2018, to facilitate expeditious disposal of the appeal. Any further action to shift either the petitioner or respondent No 6 shall be taken upon conclusion of the proceedings. The parties should cooperate for expeditious disposal of the appeal. It is expected that the appeal would be disposed of within a period of eight weeks from the date of appearance of the parties.

5 Since this Court has directed to reconsider the matter, the order dated 10.12.2014 issued by the Deputy Director, Welfare stands quashed.

6 However, in order to obliterate any uncertainty, the authorities should not shift either the petitioner or respondent No 6 so that the welfare measures at the centre continues uninterrupted till final disposal of the appeal, which shall be disposed of within a period of eight weeks from the date of appearance of the parties.

7 This writ petition is disposed of with the aforesaid observation.

8 Parties would be at liberty to file any supplementary



pleading if they so desire.

9 However, the matter be concluded expeditiously within the time frame, as specified above.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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