

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17099 of 2017

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1. Ruma Kumari W/o Santosh Kumar Resident of Village- Bijbani , Ward No. 1, P.S. Jitana, Block- Banakatwa, Distt. East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department , Bihar, Patna.
3. The Principal Secretary, I.C.D.S. Department, Bihar, Patna
4. The Director, I.C.D.S. Department, Bihar, Patna.
5. The District Magistrate, East Champaran at Motihari.
6. The District Programme Officer, I.C.D.S. Department , East Champaran at Motihari.
7. The Circle Officer, Bankatwa, East Champaran.
8. Suman Raj W/o Sri Dinesh Prasad Gupta Residence of Village- Bijbani South, P.S. Jitna, Distt. East Champaran.
9. Antima Kumari W/o Ajay Kumar Ram Residence of Village- Bijbani South, P.S. Jitna, Distt. East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Respondent/s : Mr. Md.Raishul Haque -Sc10

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-04-2018 The petitioner herein has challenged the order dated 12.09.2017 passed by the Collector, East Champaran, Motihari passed in case no. 50 of 2017, whereby and whereunder the appeal of the petitioner has been dismissed on the ground that the letter of the District Programme Officer dated 05.07.2017 is not an order, hence the same is not assailable.

I find that the order of the Collector, East Champaran, Motihari dated 12.09.2017 is absolutely unfounded and has been passed without application of mind since the letter of



the District Programme Officer, East Champaran, Motihari dated 05.07.2017 definitely affects the rights of the petitioner herein inasmuch as, by the said letter, it has been directed to appoint one Suman Raj.

In view of the aforesaid, the order dated 12.09.2017 passed by the Collector, East Champaran, Motihari is set aside and the petitioner is directed to file a fresh appeal challenging the order dated 29.05.2015 passed in case no. 69 of 2014 as well as the order of the District Programme Officer as contained in letter no. 1429 dated 05.07.2017 within two weeks from today and in case, such an appeal is filed within two weeks, the Collector shall dispose of the appeal of the petitioner within a period of four weeks thereafter by a reasoned and speaking order by giving an opportunity of hearing to the petitioner.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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