

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18546 of 2016

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Naima Khatoon wife of Mustaque Ahmad resident of Village- Barhani,
Muslim Tola, P.S.- Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director, Directorate of Integrated of Child Development Scheme, Govt. of Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Programme Officer, Siwan.
6. The Child Development Project Officer, Pachrukhi, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nand Kishore Sinha, Advocate Mr.Arbind Kumar Singh, Advocate
For the Respondent/s	:	Mr.Mritunjay Kumar AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 30-01-2019

It is submitted by counsel for the petitioner that the order dated 13.10.2016 whereby the petitioner's selection has been cancelled has been issued by the incompetent authority. Perusal of the ICDS Angan Bari Sevika and Sahayaka Guidelines of 2011, particularly Clause 10.5 thereof, it is apparent that the District Programme Officer is the competent authority for cancelling the selection on the ground of illegality/irregularity committed in the course of running of center. The plea that the order dated 13.10.2016 has been issued by the incompetent authority is therefore, not sustainable.

On being faced with such difficulty counsel for the



petitioner submits that he would be availing the remedy of appeal before the District Magistrate. In case the petitioner avails of such liberty it would be open to him to raise the issue of pendency of the instant proceedings for meeting the ground of delay raised if any by the appellate forum.

Writ petition is dismissed with the liberty aforesaid.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

