

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13282 of 2011

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SARITA KUER W/O Late Dhananjay Singh R/O Vill. Betari, P.S.-Bhabhua,
Distt.-Kaimur.

... .. Petitioner

Versus

1. THE STATE OF BIHAR through Director of ICDS Public Welfare Department, Bihar Patna
2. The District Officer Cum Collector, Kaimur At Bhabhua.
3. The District Programme Officer, Kaimur At Bhabhua.
4. The District Welfare Officer, Kaimur At Bhabhua.
5. The Block Development Officer, Block-Chainpur, Kaimur Bhabhua.
6. The Child Development Project Officer, Block-Chainpur, Kaimur At Bhabhua.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Ravi Shankar Sahay Mr. Chandra Mohan Jha
For the Respondent/s	:	Mr.S.S.P.Yadav, SC 14 Mr. Ajay Kumar Ojha, AC to SC 14

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 05-08-2019 Petitioner has been removed from the post of

Anganwari Sevika at Centre Betari.

Counsel for the petitioner submits that without complying the principles of natural justice the petitioner was removed pursuant to an inspection report.

The removal is by order dated 23.1.2008 which stands quashed by this Court in the proceedings arising out of CWJC No. 4605 of 2008. The claim of the petitioner therefore is covered by Clause 4(c)(i) of the State Litigation Policy 2011 with respect to “covered matters”.



Since the very same order under which the petitioner has been removed, has been set aside by this Court in CWJC No. 4605 of 2008 the petitioner should approach respondent No. 1 in respect of her claim having regard to the provisions contained in State Litigation Policy taken note of hereinabove. It is made clear that the petitioner's claim has to be considered with reference to any third party right which may have accrued in the meantime.

Let appropriate decision be taken by the authorities in accordance with law.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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