

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1610 of 2017

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Lalita Devi, D/o Late Bhuto Prasad Mehta, wife of Sri Nandan Mehta,
resident of village Kumharpur, P.O. - Manjaura, P.S. - Bihariganj, District -
Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Welfare Department, Govt. of Bihar, Patna.
2. Director, Welfare Department, Government of Bihar, Patna.
3. Divisional Commissioner, Koshi Division, Saharsa.
4. District Magistrate, Madhepura.
5. District Programme Officer, Madhepura.
6. Sub-Divisional Officer, Udakishunganj, Madhepura.
7. Block Development Officer, Udakishunganj, District - Madhepura.
8. The Child Development Project Officer, Block Udakishunganj, District - Madhepura.
9. Reema Kumari Singh, wife of Suman Kumar Singh, resident of Nayanagar, P.O. and P.S. - -----, District - Madhepura.
10. Madhulata Kumari, wife of Mithilesh Mandal, Resident of Village - Kumarpur, P.O. - Manjaulia, P.S. Bihariganj, District - Madhepura.
11. Sapna Kumari, wife of Late Awadhesh Mandal, resident of village - Kumarpur, P.O. - Manjaura, P.S. - Bihariganj, District - Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Girjanand Prasad, Adv.

For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 18-04-2019



Heard the learned counsel for the petitioner and the State.

2. Initially, this writ petition was filed being aggrieved by the action of the respondent authorities in not sending the petitioner for appropriate training for being posted as Anganbari Sevika, even though a direction was issued by the concerned District Programme Officer (D.P.O.) for issuing appointment letter to the petitioner long time back.

3. However, as on date, with the disposal of the appeal by the District Magistrate, Madhepura, which had been preferred by the private respondent No. 10, the petitioner has been reinstated as Anganbari Sevika at the concerned Anganbari Centre and has been discharging her duties since 22.07.2017.

4. From the records, it appears that when the order of the D.P.O., Madhepura was challenged by the private respondent No. 10 before the District Magistrate, Madhepura, the District Magistrate had stayed all further proceedings. It is precisely for this reason, as has been



argued by the learned counsel for the State, that the petitioner had not been sent for training and has been reinstated now on the post of Anganbari Sevika after the disposal of the aforesaid appeal.

5. Needless to state that if a person is working on a particular post, the remuneration, which is admissible to her/him, is required to be paid. There is no averment on behalf of the State, denying the aforesaid claim of the petitioner that she has not been paid ever since she has been appointed and has been rendering her services.

6. Under the aforesaid circumstances, this Court deems it appropriate to direct the petitioner to make a representation before the District Magistrate, Madhepura (respondent No. 4) within a period of two weeks from today, stating in detail the developments which had taken place with respect to her engagement on the post of Anganbari Sevika and the fact that despite her rendering services on 22.07.2017, she has not been paid her remunerations.

7. On receipt of such representation, the District Magistrate, Madhepura (respondent No. 4) shall, after



verifying the facts, pass a reasoned order, directing for payment of current salary/remunerations and the arrears which has accrued up-till now to the petitioner, within a further period of eight weeks thereafter.

8. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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