

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5399 of 2015

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Lailun Begum Wife of Nesar Ahmad. Resident of village - Dhanchhuhan, P.O.
and Police Station - Maharajganj, District - Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, I.C.D.S. Social Welfare Department, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Saran Division at Chapra.
4. The District Magistrate, Siwan.
5. The District Programme Officer Siwan.
6. The Child Development Project Officer, Maharajganj, District - Siwan.
7. The Ward Member, Gram Panchayat Raj Nan, Block Maharajganj, District - Siwan.
8. The Mukhiya, Gram Panchayat Raj Nan, Block Maharajganj, District - Siwan.
9. Anita Kumari. Wife of Umesh Singh. Resident of village - Dhanchhuhan, Police Station - Maharajganj, District - Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Manish Kumar, AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 22-01-2019

In view of amendments dated 17.05.2013 in the 2011 guidelines the District Programme Officer has been specified as the first appellate authority under the amended Sub-clause 10.2. The petitioner has made his application before the said authority. The same is Annexure 7 dated 12.01.2015 i.e., after coming into force of the said amendment. In stead of deciding the petitioner's claim in light of the guidelines as taken note of herein above the respondents have taken a plea in the counter affidavit that the representation is "unnecessary and misconceived". Whether the representation is "unnecessary or



misconceived” has to be decided by the competent authority under the amended guidelines as has been taken note of herein above. Such a decision is to be arrived at by following the procedure and after due opportunity to the parties.

In view of the aforesaid position, the duties is cast upon the respondent no. 5 to take a decision on the petitioner’s representation dated 12.01.2015. Let the matter be decided in accordance with law after due opportunity to the parties expeditiously. The petitioner may approach the respondent no. 5 along with copy of the order for appropriate direction in this regard within a period four weeks from today.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

