

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15818 of 2019

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Munni Kumari @ Munni Devi, W/o Priya Jitendra Kumar Yadav Ward No.-1,
R/o- Vill- Koluharwa, P.S.- Shikarganj, Block- Chiraiya, Distt- East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, East Champaran at Motihari.
3. The District Programme Officer, East Champaran.
4. The Block Development Officer, Chiraiya, Distt- East Champaran.
5. The Child Development Project Officer, Chiraiya, East Champaran.
6. The Female Supervisor, The Child Development Project, Chiraiya, East
Champaran.
7. The Ward Member of Ward No.-1, Gram Panehayal Haraj Narullatpur, P.S.-
Sikarganj, Distt- East Champaran.
8. The Ward Panch of Ward No.-1, Gram Panchayat Raj Haraj, Narullahpur,
P.S.- Sikarganj, Distt- East Champaran.
9. Anju Kumari W/o San Jay Ray R/o Village- Koluharwa, P.S.- Sikarganj,
Block- Chiraiya, Distt- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan

For the Respondent/s : Mr. S.K.Madnal (SC3)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 14-08-2019 Mr. Rakesh Singh, learned counsel for the

petitioner seeks permission to withdraw this petition in order



to enable the petitioner to challenge the order dated 01.04.2019 passed by the District Programme Officer, ICDS, East Champaran, Motihari in Case No. 09 of 2018 before the District Magistrate, East Champaran at Motihari, who is the second Appellate Authority under the Guidelines of 2016.

Should such an appeal be filed before the District Magistrate, East Champaran at Motihari by the petitioner within a period of two weeks, the District Magistrate shall, after examining the facts and hearing the parties, and on further verification of facts, pass a reasoned order in accordance with law, within a further period of six weeks thereafter.

Since the new Guidelines of 2019 have been promulgated, if the District Magistrate would be at a view that the matter be looked into by the Divisional Commissioner, who is now the second Appellate Authority against the order of District Programme Officer, he may either transmit the records of the appeal to the office of the Divisional Commissioner or direct the petitioner to prefer a



revision before the concerned Divisional Commissioner. In any event, if the case is transmitted to the office of the Divisional Commissioner, he would be under an obligation to decide the case within a further period of six weeks of the receipt of the records.

This petition is dismissed as withdrawn with the aforesaid observation / direction.

(Ashutosh Kumar, J)

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