

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13887 of 2019

Putul Kumari Wife of Rabin Sahni Resident of Village- Rupouli, Bujurg, P.S.-
Mushari Gharari District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The District Magistrate Samastipur.
3. The District Programme Officer Samastipur.
4. The Child Development and Project Officer Sarai Ranjan, Samastipur (Bihar).
5. Punam Devi Wife of Deo Raj Sahani Resident of Rupauli Bujurg P.S.- Sarai Ranjan, District- Samastipur (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ramendra Kumar Bharti, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha (GA7)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-07-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner is aggrieved by the order of the District Magistrate, Samastipur, whereby her appeal against the order of the District Programme Officer, Samastipur, setting aside her appointment as Anganwari Sevika, has been dismissed.

The petitioner was appointed as Anganwari Sevika at the concerned centre but on the complaint of private-respondent no. 5, her appointment was cancelled by the



order of the District Programme Officer, Samastipur. The petitioner has challenged that order before the District Magistrate, Samastipur, who by a cryptic order has dismissed the petition holding that good grounds have not been raised in the appeal for any interference.

It does not require any elaboration that a reasoned order is necessarily to be passed for several reasons: the first and foremost amongst them is to avoid any whimsical or arbitrary decision by even an administrative authority; the second reason for any order to be backed by reason is that the parties aggrieved or benefited by such order must know the grounds on which the order adversely or favourably affects them; and lastly, if the order is amenable / subject to any judicial scrutiny, the Courts will be in position to understand the mindset of the author of the order.

The order passed by the District Magistrate, Samastipur displays complete non-application of mind and an attitude of "devil may care".

This Court deprecates such manner of exercise of power.



The District Magistrate, Samastipur is directed to pass a fresh order on the appeal preferred by the petitioner, after affording reasonable opportunity to the concerned parties, within a period of four weeks from the date of receipt or production of a copy of this order.

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

(Ashutosh Kumar, J)

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