

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 1598 of 2015

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Rekha Poddar wife of Sri Prem Kumar Resident of Jajak Toli, P.O.- Jhauganj,
P.S.- Chowk at Chowk Patnacity, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary, Government of Bihar Old Secretariat Building, Patna
2. Secretary, Department of Social Welfare, Government of Bihar, Old Secretariat Building, Patna
3. Director, Integrated Child Development Program, India Bhawan, Ramcharitra Path, Patna- 1
4. District Magistrate, Patna
5. Child Development Project Officer, Patna Sadar-5 Bajrangpuri Patna City, Patna- 800007
6. District Program Officer, Patna
7. Commissioner, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Hare Ram Sah, Advocate
For the S t a t e : Mr Arvind Kumar, AC to GA IX

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 08-01-2019

Heard learned counsel for the petitioner as well as the respondent-State.

2 Petitioner's counsel submits that in spite of the order passed by the Divisional Commissioner, Patna in Angan Bari Appeal No 78 of 2010 dated 27.03.2012 in favour of the petitioner's selection as Angan Bari Sevika for Angan Bari Centre, Daribabad Bahadurpur Gali in Ward No 51/66, she has not been given appointment as such till date.



3 The respondents have appeared and they have filed a counter affidavit. They have taken a plea that the Center in question is not in existence and, as such, the order passed in the Appeal by the Commissioner, Patna Division is not capable of compliance by the District Magistrate, Patna.

4 In this connection, learned counsel for the petitioner has referred to Annexure 18 dated 21.09.2012 wherein the District Magistrate has written to the Commissioner, Patna Division that compliance of the order passed in Angan Bari Appeal No 78 of 2010, by appointing the petitioner as Angan Bari Sevika, can only be ensured after final decision in respect of pending proposal for creation of the Center in question, which has earlier been sent.

5 Since the final decision is required to be taken by respondent No 3 upon the said communication dated 21.09.2012, this Court would direct that final decision in this respect would be taken pursuant to the communication dated 21.09.2012 of the District Magistrate, Patna within a period of three months from the date of receipt/production of a copy of this order, before the concerned Authority.

6 The petitioner's entitlement for appointment as Angan Bari Sevika, Daribabad Bahadurpur Gali Centre would be considered thereafter.



7 Writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.01.2019
Transmission Date	NA

