

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14660 of 2019

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Kumari Suman W/o Saurabh Kumar Resident of Village-Amadih (Darima),
Ward no. 8, P.S.-Khaira, District-Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate Jamui
3. The District Programme Officer Jamui
4. The Child Development Project Officer Jamui
5. The Woman Investigator Gram Panchayat Raj Arunmabank, P.S. Khaira,
District-Jamui
6. The Mukhiya Gram Panchayat Raj Arunmabank, District-Jamui
7. Anita Devi W/o Mukesh Kumar Yadav Resident of Kalyanpur, P.S. and
District-Jamui. At present resident of Village-Amadih (Darima), Ward No. 8,
P.s.-Khaira, District-Jamui
8. Kiran Kumari W/o Sushil Kumar Yadav Resident of Bajrahi, P.s.-Khaira,
District-Jamui

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Respondent/s : Ms. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-07-2019 The petitioner is aggrieved by the order

dated 16.04.2019 passed by the District Magistrate-

cum-Collector, Jamui in *Anganbari* Appeal Case No.

02 of 2019 whereby her appeal has been dismissed as



being time barred.

The petitioner had preferred an appeal before the District Magistrate, Jamui against the order dated 19.02.2018 passed by the District Programme Officer, Jamui rejecting the complaint of the petitioner that she was the most suitable candidate but wrongly, private respondent No. 7 was appointed on the post of *Anganbari Sevika*.

Without going into the merits of the explanation offered by the petitioner for approaching the Appellate Authority late, such appeal has been rejected.

The ground for rejecting such appeal is non-speaking.

The explanation of the petitioner ought to have been gone into and then any order ought to have been passed either accepting or rejecting the grounds of the petitioner for approaching the Appellate Authority after the statutory period.



For the aforesaid reasons, the order dated 16.04.2019 rejecting the appeal of the petitioner as being time barred is set aside.

The matter is remitted to the District Magistrate, Jamui (respondent No. 2) to look into the explanation given by the petitioner and then pass a reasoned order in accordance with law. If the District Magistrate, Jamui finds that there is a reasonable/ plausible ground by the petitioner to have approached the Appellate Authority later than the statutory period, he shall hear the appeal and decide it on merits. If the grounds are not tenable, necessary grounds shall be given why such reason is not being accepted by the Appellate Authority. Such order shall be passed within a period of six weeks of the receipt/production of a copy of this order.

Needless to state that any order on merits passed by the District Magistrate, Jamui would only be after giving sufficient opportunity to all the



stakeholders including the private respondent.

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

(Ashutosh Kumar, J)

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