

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16561 of 2019

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Ruby Kumari W/o Bhupendra Yadav Resident of Billage-Ghospur, P.O. and
P.S. Barahat, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Social Welfare Department, Govt. of Bihar,
Patna.
2. The Director, I.C.D.S., Indra Bhawan, Bihar, Patna.
3. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
4. The District Magistrate-Cum-Collector, Banka.
5. The District Programme Officer, Banka.
6. The Child Development Project Officer, Barahat, District-Banka.
7. Madhu Kumari Wife of Shyam Sundar Yadav Resident of Village-Ghospur,
P.O. and P.S. Barahat, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate
For the Respondent/s : Mr. Prashant Pratap (GP 2)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 27-08-2019

Heard the learned counsel for the parties.

2. The petitioner is aggrieved by the orders
passed by the concerned Child Development Project Officer
and the District Programme Officer, Banka.

3. The petitioner is directed to prefer an appeal
before the District Magistrate, Banka against the aforesaid
orders, if so advised.



4. Under the new guidelines of 2019, against the order passed by the District Programme Officer, a revision lies before the concerned Divisional Commissioner.

5. However, since the appointment process is of an earlier period when the guidelines of 2019 had not been promulgated, this Court directs that if an appeal is filed before the District Magistrate, Banka (respondent no. 4) against the order of the District Programme Officer, Banka dated 24.02.2018, the same shall be heard and disposed of by him within a reasonable period of time.

6. Should the District Magistrate be of the view that the matter is required to be considered by the concerned Divisional Commissioner, he would either ask the petitioner to prefer a revision before the concerned Divisional Commissioner or he shall transmit the records of the appeal to the Divisional Commissioner, Saran. In any event, if the matter reaches the office of the concerned Divisional Commissioner, it is expected that he shall pass a reasoned order in accordance with law within a reasonable



period of time preferably within a period of three months of the receipt of the records of the case or the filing of the revision petition.

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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.08.2019
Transmission Date	

