

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15651 of 2019

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Kanchan Kumari Wife of Rajesh Kumar, D/o Ram Babu Mahto Resident of Ward No. 01, Surauli, District-Samastipur, presently resident of Village-Kerai, P.S. and Anchal-Bibhutipur, District-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna
2. The Director Integrated Child Development Scheme (I.C.D.S.), Bihar, Patna
3. The District Magistrate-cum-Collector Samastipur
4. The District Programme Officer (I.C.D.S.) Samastipur
5. The Sub-Divisional Magistrate Rosera, District-Samastipur
6. The Child Development Project Officer (C.D.P.O.) Bibhutipur, District-Samastipur
7. Renu Kumari Wife of Manjay Kumar Singh Resident of Village-Kerai, Chakhoja, Ward No. 14, P.S. and Anchal-Bibhutipur, District-Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Prasad Singh, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha (GA 7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 08-08-2019

Heard the learned counsel for the parties.

2. The petitioner is aggrieved by the order dated 25.05.2019 passed by the District Programme Officer, Samastipur contained in Memo No. 377 whereby the services of the petitioner as Aanganwari Sevika at the concerned Aanganwari centre has been cancelled.



3. The petitioner, if so advised, can file an appeal before the District Magistrate, Samastipur who under the guidelines of 2019 is the second appellate authority.

4. If such an appeal is filed within a period of four weeks, the District Magistrate, Samastipur shall look into the matter, hear all the stakeholders and shall pass a reasoned order in accordance with law within a period of eight weeks thereafter.

5. Should the District Magistrate be of the view that in the light of the new guidelines of 2019 which is in place, the matter be decided by the Divisional Commissioner, the District Magistrate would be at liberty to either transmit the records of the case to the office of the Divisional Commissioner or ask the petitioner to prefer a revision petition against the order of the District Programme Officer before the concerned Divisional Commissioner.

6. In the event of the matter being transmitted to the office of the Divisional Commissioner, the Divisional



Commissioner would be under an obligation to decide the revision petition as early as possible, preferably within a period of six weeks of the receipt of the records of this case.

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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.08.2019
Transmission Date	

