

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25184 of 2019

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Renu Singh W/o Kaushik Singh @ Kaushik Kumar Singh resident of village- Jagatpur, P.O.- Parshurampur, ward no. 6, Panchayat Pakari, P.S.- Krishnagarh, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. Director, Social Welfare Department, Government of Bihar, Patna.
3. The District Magistrate, Bhojpur.
4. The District Programme Officer/ ICDS, Bhojpur at Ara.
5. The Child development Project Officer, Badhara, Bhojpur.
6. Anju Kumari, W/o Bimlesh Yadav, resident of village- Jagatpur, P.O.- Parshurampur, ward no. 6, Panchayat Pakari, P.S.- Krishnagarh, District- Bhojpur.
7. Ruby Devi, W/o Sajeev Yadav, resident of village- Jagatpur, P.O.- Parshurampur, ward no. 6, Panchayat Pakari, P.S.- Krishnagarh, District- Bhojpur
8. Divisional Commissioner, Patna Division, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Upadhyay
For the Respondent/s : Mr.Gyan Shankar AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 05-02-2020

Heard learned counsel for the petitioner and learned counsel for the Respondent-State.

Learned counsel for the petitioner is permitted to implead the Divisional Commissioner, Patna as Respondent No.8, in the s instant proceedings during course of the day.

The petitioner is aggrieved by the cancellation of her selection as *Anganbari Sevika* for Centre no. 215, Ward No.6 in



the District of Bhojpur.

The learned counsel representing the State raises an objection regarding invoking of Article 226 of the Constitution of India against the order of the District Programme officer (for short 'D.P.O.'), Bhojpur, when the petitioner has adequate remedy before the Divisional Commissioner, Patna under the extant guidelines.

In view of such objection, the petitioner's counsel submits that if she approaches the Divisional Commissioner, now her application may not be entertained on account of lapse of time.

Considering the rival submissions and to facilitate redressal of the petitioner's grievance, this Court would direct that if the petitioner approaches the Divisional Commissioner, Patna, within a period of four (04) weeks, the Authority should consider the application without raising the issue of delay and pass a reasoned and speaking order upon the merits of the claim raised therein expeditiously and without undue delay. The exercise has to be completed after hearing the necessary parties, who have an interest and are likely to be affected by the adjudication before the Divisional Commissioner.

With the aforesaid observations/directions the writ



petition stands disposed off.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	07.02.2020
Transmission Date	N/A

