

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5677 of 2021

=====

Krishna Kumari Wife of Shaymsundar Bhakta Resident of Ward No. 02, P.O.
- Chapaith, P.S. - Chak Chuhar, District- Vaishali, Pin Code - 844112

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Social Welfare Department, Bihar, Patna
2. Director, Integrated Child Development Scheme, Department of Social Welfare Department, Bihar, Patna
3. Additional Commissioner, Tirhut Division, Muzaffarpur
4. District Magistrate, Muzaffarpur
5. Smt. Sachi Nayak Wife of Sri Vidya Lal Sah Resident of Village - Raksa, P.O. - Raksa, P.S. - Karza, District- Muzaffarpur

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Advocate
For the Respondent/s : Mr. Lalit Kishore (Ag)

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 04-02-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

Service of notice to fifth respondent-Sachi Nayak is dispensed with since no adverse order is passed against her.

In the instant petition, petitioner has prayed for the following relief(s):-

“(i) Issuance of a direction, order or writ, including writ in the nature of certiorari quashing the order dated 13/04/2020 bearing memo no. 928 passed by the District Programme Officer, Muzaffarpur, in Case No. 136/2019, by which the case filed by the petitioner against the decision ousting her from the zone of the consideration for being appointed



against the post of Lady Supervisor under Integrated Child Development Scheme in the district of Muzaffarpur, has been rejected and accordingly direct the respondent authorities to allow the petitioner to resume her duties in the capacity of Lady Supervisor under the said Integrated Child Development Scheme;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to redraw the merit list for appointment of Lady Supervisors under District Programme Branch, Muzaffarpur, while awarding bonus marks in favour of the petitioner in recognition of the intermediate qualification possessed by her in accordance with the decision of the State Government to award bonus marks for higher qualifications possessed by persons for appointment against the posts of Lady Supervisors under the Integrated Child Development Scheme in different districts within the State of Bihar;

(iii) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

The petitioner has statutory remedy of appeal before the appellate authority against the order dated 13.04.2020.

Learned counsel for the petitioner submitted that appellate authority has already decided certain issues. If it is so petitioner is permitted to file an appeal before the appellate authority within a period of eight weeks from the date of receipt of this order. The appellate authority is hereby directed to decide the petitioner's appeal after hearing both the petitioner and fifth respon-



dent-Sachi Nayak within a period of four months from the date of filing of petitioner’s appeal.

With the aforesaid observations, the present petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

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

