

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9398 of 2020

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Pushpa Kumari W/o Sri Rajesh Kumar R/o Village- Bibi Bankatwa, P.S.
Bathwariya and District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, State of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, State of Bihar, Patna.
3. The District Magistrate, District West Champaran.
4. The District Programme Officer, District West Champaran.
5. The Child Development Programme Officer (C.D.P.O.), Block Bagaha, West Champaran.
6. Anshu Kumari W/o Sujeet Kumar Prasad R/o Village- Bibi Bankatwa, P.S.- Bathwariya and District- West Champaran.
7. Priya Priadarshani Lady Supervisor, Bairia, P.O. and P.S.- Bairia, Dist- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Tiwari, Advocate
For the Respondent/s	:	Mr. Lalit Kishore (Ag)
	:	Mr. Gyan Prakash Ojha, GA 7

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

Date : 04-01-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Since no adverse order is passed against Respondent Nos. 6 and 7, accordingly, service of notice to them is dispensed.

3. In the instant petition, petitioner has prayed for the following relief/reliefs:

“i. For issuance of the writ of the nature of mandamus commanding and directing the Respondents Nos 3 and 4 to conclude and dispose of the Anganwari Appeal No. 07/2020



within one month positively filed by this petitioner before them questioning the order dated 30/03/2020, passed by the CDPO, Block Sidhaw, West Champaran adjudicating about the candidature of the Petitioner without having legal jurisdiction, stipulated in the Margdashika and hence declared to be “Juris per incurium”.

ii. Praying for granting stay on the impugned order, Annexure-1 with immediate effect till the Appeal has decided on merit in the interest of principle of natural justice.

iii. For granting any other relief/reliefs for which the Petitioner may be found entitled in the facts and circumstances of the case.”

4. The grievance of the petitioner is in short compass namely to decide the petitioner’s Appeal No. 7 of 2020 which is pending consideration before the Appellate Authority. Therefore, the Appellate Authority is hereby directed to conclude the petitioner’s Appeal No. 7 of 2020 within a period of one month from the date of receipt of this order after giving ample opportunity of hearing to the petitioner and contesting Respondent Nos. 6 and 7.

5. Accordingly, petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	07.01.2022
Transmission Date	

