

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10223 of 2020

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Puja Kumari W/o Umashankar Kumar Resident of village- Chotki Masaurhi,
P.s.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Welfare Department, Government of Bihar, Patna
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna
3. The Joint Secretary, Department of Social Welfare, Government of Bihar, Patna
4. The P.C.F.C. Department of Finance, Government of Bihar, Patna
5. The Director, I.C.D.S. Government of Bihar, Patna
6. The District Magistrate(D.M.) Patna
7. The Child Development Project Officer (CDPO) Masaurhi, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Samir Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

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

Date : 10-01-2022

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

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

“(i) For issuance of writ/ writs/s in the nature of
certiorari for setting aside the order contained in letter
no. 311 dated 19.06.2020 passed by C.D.P.O Masaurhi,
Patna by which petitioner has been removed from her
post and her selection has been cancelled appreciating
the fact that petitioner was only available candidate



without any criminal history in her category at the time of selection and so her appointment was done right.

(ii) For issuance of writ in the nature of Mandamus directing Respondents to make the payment of the salary for work she has rendered at the post of Aaganbari Sevika for almost 12 months.

(iii) For issuance of writ/writs, order/orders directing the concerned authorities to for any other relief to be granted to the petitioner.”

3. Undisputedly, petitioner has a statutory remedy of appeal before the Appellate Authority, therefore, the petitioner is at liberty to prefer appeal before the Appellate Authority within a period of two weeks from the date of receipt of this order. On receipt of Memorandum of Appeal, Appellate Authority is hereby directed to decide the petitioner’s appeal within a period of two months from the date of receipt of appeal.

4. At this juncture, learned counsel for the petitioner submitted that the petitioner has not been paid salary during the intervening period from the date of appointment till cancellation of appointment. In this regard, petitioner has not submitted any representation. He is permitted to file representation. Such representation shall be considered by the competent authority. If salary has not been paid, the same shall be paid within a period of four weeks from the date of receipt of petitioner’s representation, failing which, petitioner is entitled to interest at the rate of 12 % per annum on arrears of salary.



5. With the above observation, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	12.01.2022
Transmission Date	

