

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10314 of 2020

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Anita Kumari Wife of Manoj Kumar Resident of Village- Jaisinghpur
Chilraw, P.S.- Turkaulia, District- East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Social Welfare Department, Bihar, Patna.
2. The Director Integrated Child Development Services, Patna.
3. The Collector-cum- District Magistrate East Champaran, Motihari.
4. The District Programme Officer East Champaran, Motihari.
5. The Child Development Programme Officer Turkaulia.
6. Rani Kumari Wife of Nagmani Kumar Resident of Village- Jaisingh Chiraw, P.S.- Turkaulia, District- East Champaran, Bihar.
7. Selection Committee Ward No. 9, Panchayat- Jaisinghpur (East), Turkauliya through its President.
8. Chanda Kumari Lady Supervisor, Turkauliya, East Champaran.
9. Anita Kumari Wife of Naresh Rai Resident of Village- Jaisinghpur, P.S.- Turkaulia, District- East Champaran, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vikash Kumar Pankaj
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) To issue writ of Certiorari or any other appropriate
Writ order to set aside the order contained in Memo



No. 1683 dated 28.06.2020 (**Annexure – 8**) passed by Respondent No. 4 in Appeal Case No. 191/2019 whereby the said case filed by the Petitioner for setting aside the Order dated 14.11.2019 passed by Respondent No. 5 in Case No. 01/2019, has been rejected.

(ii) To issue consequential Writ of Certiorari or any other appropriate Writ order direction directing the Respondents to set aside the Order dated 14.11.2019 (**Annexure – 6**) passed by Respondent No. 5 in Case No. 01/2019 whereby the Petitioner services on the post Anganwadi Sewika in the Mini Anganwadi Center No. 154, Panchayat- Jaisinghpur (East) in Ward No. 9 has been terminated.

(iii) To issue consequential Writ of mandamus or any other appropriate Writ order directing directing the Respondents to Reinstate the Petitioner with arrears, on the aforesaid post of Anganwadi Sewika in the Mini Anganwadi Center No. 154, Panchyat- Jaisinghpur (East) in Ward No. 9.”

3. Learned counsel for the petitioner submitted that petitioner be permitted to prefer Second Appeal before the Divisional Commissioner or Appellate Authority in terms of relevant provisions at the relevant point of time. Accordingly, petitioner is permitted to prefer Second Appeal before the Divisional Commissioner or Appellate Authority within a period of four weeks from the date of receipt of this order.

4. The Second Appellate Authority is hereby directed to take note of Section 14 of the Limitation Act for the purpose of condonation of delay in entertaining Second Appeal. The Second Appellate Authority is hereby directed to decide petitioner’s



Second Appeal within a period of one month from the date of receipt of this order.

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

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	14.01.2022
Transmission Date	

