

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3406 of 2021

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Parmila Kumari Wife of Sri Kishor Kumar Vishwakarma Resident of Village -
Daulatpur Simri Police Station - Bihta, District- Patna, Dismissed Agan Bari
Sevika Centre Daulatpur Simri.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Welfare Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The Deputy Director, Welfare, Patna Division, Patna.
5. The District Magistrate, Patna.
6. Sri Sudhir Kumar, The District Programme officer, Patna, Collectorate,
Patna.
7. Manju Rani, the Child Development Project Officer, Bihta, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 08-02-2022

This matters heard via video conferencing due to
circumstances prevailing on account of COVID-19 Pandemic.

2. Heard learned counsel for the parties.

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

“For issuance of a writ in the nature
of Certiorari to quash the office order contained
in Memo No. 209 dated 13.06.2020 issued
under the signature of Deputy Director Welfare,
Patna Permandal Patna whereby and



whereunder the services/selection of the petitioner has been terminated/cancelled from the post of Aganbari center Daulatpur Simri Code No. 158 Bal Vikash Pariyojna Bihata Patna ignoring the observation and direction of this Hon'ble High Court passed in C.W.J.C. No. 4256/2015 of this petitioner as also the all earlier order which has been passed in regard to this petitioner dismissal without following legal procedure as required under law for dismissal. And further issuance of a writ in this nature of mandamus commanding and directing the respondent authorities to take the petitioner in services on the post of Aganbari Sevika and pay the initial dues from the date of termination/dismissal till the date and to continue the payment of salary/emolument till the services period and/or issue writ/writs, order/orders, direction/directions to which the petitioner may be found legally entitled to in the facts and circumstances of the case as stated hereinafter".

4. Short question for consideration is that the petitioner has statutory remedy of appeal. It is learnt that the petitioner has already invoked remedy of appeal before the Appellate Authority, therefore, the Appellate Authority is hereby directed to examine the petitioner's appeal after hearing such of those persons whose right is likely to be affected.



5. The above exercise shall be completed within a period of three months from the receipt of this order. Accordingly, the present petition stands dismissed.

6. In the beginning the State counsel accepts notice for respondent nos. 1 to 7. He also mentioned that while deciding the petitioner's appeal, Annexure-15 vide order dated 19.4.2019 be considered.

(P. B. Bajanthri, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.02.2022
Transmission Date	NA

