

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1109 of 2023

Prabhawati Devi W/o Satish Ray, D/o Shyam Narayan Ray, Resident of
Village - Roopa Pokhar, P.S. - Rajpur, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Bihar Social Welfare Department, Government of Bihar, Patna.
2. The Director, Integrated Child Development Scheme Welfare Department, Government of Bihar, Patna.
3. The Deputy Director, Integrated Child Development Scheme Welfare Department at the Office of Divisional Commissioner at Patna.
4. The District Magistrate, Buxar at Buxar.
5. The District Programme Officer (ICDS), Buxar.
6. The Child Development Programme Officer, Buxar.
7. The Divisional Commissioner at Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Gupta, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA- 7
		Mr. Abhishek Singh, AC to GA-7

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-06-2023 Learned counsel for the petitioner is permitted to add
Divisional Commissioner, Patna as Respondent No. 7.

The Clause 12 of Anganwadi Sevika/Sahayika selection Guide-2019 for rural and urban areas under Integrated Child Development Services (hereinafter referred to as "2019-Guidelines") provides for revision/appeal against the order of the District Programme Officer.

In the instant case, the District Magistrate has passed the order instead of the District Programme Officer.



The Divisional Commissioner, however, being the revisional appellate authority, can still be approached, since the order is of an inferior authority, namely, District Magistrate, Buxar.

Learned counsel for the petitioner however submits that in terms of the Clause 12 of the 2019-Guidelines, his revisional appeal may now be barred by delay.

This Court would observe that the pendency of the instant writ proceedings is available to the petitioner to meet the issue of delay before the revisional appellate authority, namely, Divisional Commissioner.

If the petitioner approaches the newly added Respondent No. 7 (Divisional Commissioner, Patna) within 4 weeks from today, then the matter is to be decided on its merits in accordance with law after due notice to the concerned parties.

(Madhuresh Prasad, J)

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