

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2348 of 2023

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Soniya Bharti, Daughter of Nagendra Singh, Resident of Mohalla-Simarabagan, Hridayganj, P.S.- Katihar, P.O.- Katihar Court, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, Integrated Child Development Service, Bihar, Indira Bhawan, Boring Canal Road, Patna.
3. The Divisional Commissioner, Purnea Division, Purnea.
4. The District Magistrate, Katihar.
5. The District Programme Officer (I.C.D.S.), Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sri Krishna Ranjan, Advocate
For the Respondent/s	:	Mr.Sunil Kumar Mandal, SC-3
		Mr.Bipin Kumar, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-07-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. In terms of the letter dated 09.09.2020 issued
by the Social Welfare Department and resolution dated
22.01.2021 bearing No.1003, issued by the General
Administration Department, Government of Bihar, learned
counsel for the petitioner submits that the petitioner has
preferred his appeal before the Commissioner, Purnea Division,
as the said authority is the authority higher than that of his
appointing authority i.e. District Magistrate. The remedy is
available to contractual employees like the petitioner in terms of



the said two decisions and, therefore, he has filed the appeal on 17.06.2022 whereas the same is not being considered or disposed of.

3. In view of the limited relief and since decision is yet to be taken by the Commissioner (Respondent No.3), pendency of the instant writ application would serve no useful purpose.

4. The writ application is thus disposed of with a direction to the Respondent No.3 to consider the petitioner's appeal in accordance with law and pass reasoned and speaking order there upon within a period of three (3) months from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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