

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8982 of 2023**

=====

Momina Khatoon Wife of Md. Saddam, Resident of Village - Surgahi Tole  
Dastara, Ward No.7, Panchayat Raj-Surgahi, P.S. Tariyani, District-Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, Integral Child Development Scheme, Social Welfare Department, Govt. of Bihar, Patna.
3. The Commissioner, Tirhut Division, At Muzaffarpur.
4. The District Magistrate, Sheohar.
5. The District Programme Officer, Sheohar.
6. The Child Development Project Officer, Tariyani, District- Sheohar.
7. The Lady Spervisor, Gram Panchayat-Surgahi, Block-Tariyani, District-Sheohar.
8. Shahjahan Khatoon, Wife of Taukeer Ahmad, Resident of village-Surgahi, Ward No.7, Panchayat Raj-Surgahi, P.S. Tariyani, District-Sheohar.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr.Devendra Kumar  
For the Respondent/s : Mr.Smt. Kumari Amrita (Gp3)

=====

**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA  
CHAKRAVARTHY**

ORAL ORDER

2      02-12-2023                      The writ petition is filed by the petitioner seeking a prayer the action of the respondent District Magistrate, Seohar (Respondent No. 4) as the illegal, improper, unjust and unconstitutional in the eye of law for keeping the matter pending without following the due procedure of Margdarshika of Anganwari Sevika and Sahayika. Though many points are raised in the writ petition, it is urged by the



learned counsel for the petitioner that he restricts his prayer only seeking direction to dispose of the appeal which is pending before the Respondent No. 4.

2. It is specific contention of the learned counsel for the petitioner that as per the rules provided, the Respondent No. 4 has to dispose of the appeal within 90 days, but inspite of lapse of 2 ½ years the said appeal is pending and therefore, only seeks prayer to direct the respondent no. 4 to dispose of the appeal at the earliest possible time.

3. On the other hand, learned counsel for the State contended that he has no objection, as far as directing the respondent no. 4 for disposing of the appeal and further contended that the writ petition itself is not maintainable.

4. Admittedly, the service Appeal No. 103/2022 is pending before the respondent no. 4 which was challenged by the petitioner, basing on the order dated 12.02.2021 passed in Appeal No. 01 of 2020 held by the District Programme Officer.

5. Without going into the merits of the case, this Court is of the considered view that the respondent no.



4 shall dispose off the appeal within four weeks from the date of receipt of this order, basing on the merits of the appeal.

6. With the above said observations, the writ petition is disposed of.

**(G. Anupama Chakravarthy, J)**

amitkr/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

