

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10087 of 2023

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Pramila Kumari Daughter of Nageshwar Tanti and wife of Dharmendra Tanti
Resident of village- Bela, P.S.- Laxhmipur, District- Jamui, at present village-
Dhanwah, Musahari Tola, Ward No. 2, P.O.- Mananpur, P.S. Chanan, District-
Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare,
Department, Government of Bihar, Patna.
2. The Director, ICDS, Patna.
3. The Collector, Lakhisarai.
4. The District Program Officer, Lakhisarai.
5. The Child Development Project Officer, Lakhisarai.
6. The Lady Supervisor, Lakhisarai.
7. The Block Development Officer, Block- Chanan, Lakhisarai.
8. The Mukhiya Gram Panchayat Raj, Janakidih, Block Chanan, Lakhisarai.
9. The Panchayat Secretary, Gram Panchayat - Janakidih, Block- Chanan,
Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Narsingh Tanti
For the Respondent/s : Mr.Smt. Kumari Amrita (Gp3)

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

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner as well as

learned counsel for the respondents.

2. It is noticed that there is an alternative effective

remedy available for the petitioner to challenge the orders by

way of an appeal before the appellate authority/Respondent i.e.

the District Magistrate. Inspite of it, the present writ petition has

been filed before this Court without availing the opportunity of



an appeal.

3. Admittedly, the impugned order is dated 10.04.2023 and appeal has to be filed by the petitioner within 30 days. It is noted that the limitation period has been lapsed and the petitioner is not in a position to prefer an appeal.

4. Taking into consideration that the petitioner is illiterate and could not file an appeal within the stipulated period, this Court is of the considered view that an opportunity has to be given to her for preferring an appeal.

5. Therefore, this court is of the considered view that an appeal can be preferred before the District Magistrate along with delay condonation petition and the District Magistrate shall condone the delay, and hear the appellant on merits and shall pass appropriate order in the said appeal.

6. With the aforesaid observation, the writ petition is disposed of.

(G. Anupama Chakravarthy, J)

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