

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23192 of 2013

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Anita Kumari Sinha W/O Narsingh Narayan Lal Resident Of Village - Bar,
Police Station Sherghati, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director, I.C.D.S. Bihar, Patna
3. Divisional Commissioner, Magadh Division, Gaya
4. District Magistrate, Gaya
5. District Programme Officer, Gaya
6. Child Development Project Officer, Sherghati, Gaya
7. Block Development Officer, Sherghati, District - Gaya
8. Gram Panchayat Bar, Through Its Mukhiya Bar Gram Panchayat At Sherghati
9. Sushila Devi W/O Birendra Choudhary Resident Of Village - Naknupa, P.O. Bar, Police Station - Sherghati, District - Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Prasad Singh
For the State	:	Mr. AC to AAG- 3
For the respondent No.9 :		Mr. Nachiketa Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-01-2023 Heard the parties.

Petitioner has filed this writ petition for quashing the order dated 21.02.2013 (Annexure-10) passed by respondent No.2, the Director, I.C.D.S., Bihar, Patna by which memorial preferred by the petitioner in respect of her appointment as Aanganwari Sevika at center-II, village Bar, District Gaya has been rejected.

It is submitted on behalf of the petitioner that from a



bare perusal of impugned order (Annexure-10) it would appear that the order has been passed without considering any of the the grounds taken by the petitioner and the same suffers from non application of mind as no reason has been assigned as to why grounds taken by the petitioner are not acceptable by the authority.

Learned counsel for the State as well as respondent No.9 supported the impugned order.

Considering the rival submission of the parties and after due consideration of the materials available on record, this court is of the opinion that petitioner is correct in her submission that the memorial of the petitioner has been rejected without considering the grounds taken by her only with observation that since no fresh material/document has been produced by the petitioner, the memorial is dismissed.

In that view of the matter, the impugned order dated 21.02.2013 (Annexure-10) is hereby quashed and the matter is remitted to the Director, I.C.D.S., Patna, respondent No.2, to consider the memorial filed by the petitioner afresh and dispose of the same after hearing the parties by a reasoned and speaking order within a period of three months from the date of receipt/production of a copy of this order.



This writ petition is disposed of in aforesaid terms.

(Prabhat Kumar Singh, J)

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