

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2592 of 2019

Sanju kumari Firoj Chaudhary Resident of Village-Lewara, Ward No3, Police Station-Nokha, District-Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through Principal Secretary, Social and Welfare department, Government of Bihar, Patna.
2. The District Magistrate Rohtas, Sasaram.
3. The Additional Collector, Rohtas, Sasaram
4. The District Programme Officer, Rohtas, Sasaram
5. The Child Development Programme Officer, Nokha, District Rohtas.
6. Sweta Kumari Ranjan Kumar Resident of Village-Lweara, Police Station-Nokha, District-Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey
For the Respondent/s : None

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-03-2024 Learned counsel for the petitioner present. No one appeared on behalf of the State.

2. Upon perusal of records, It transpires to this Court that vide order dated 19.02.2019, this Hon'ble Court has directed to State to file Counter affidavit in this case but no counter affidavit has been filed even after lapse of about five year.

3. Counsel for the petitioner submits that a pure legal question is involved in this case as the order impugned i.e. Memo No. 1048 dated 15.11.2018 issued under the District Programme Officer (Annexure-8/1) has been passed without jurisdiction and absolutely illegal and contrary to the Anganwari Sevika Guidelines 2011.



4. Counsel for the State submits that under Rule 8.2 of the Anganwari Sevika Guidelines 2011 there is a specific provision that the final order shall be passed by the District Magistrate concerned within 30 days after going on through the enquiry report and granting ample opportunities to the concerned parties, and thereafter, appeal shall be preferable before the Commissioner.

5. In this background, petitioner is directed to represent himself before the District Magistrate, Rohtas, Sasaram within four weeks, and the District Magistrate, Rohtas, Sasaram after hearing both the parties i.e. the petitioner and Respondent no. 6 shall passed reasoned and speaking order within 60 days from the date of appearance of Respondent No. 6

6. With this direction, this writ petitioner is hereby disposed off

(Dr. Anshuman, J)

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