

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14557 of 2018

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Sunita Devi Wife of Sri Mantu Kumar, resident of Village- Hardaspur Diara,
P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, I.C.D.S. Department of Social Welfare, Bihar, Patna.
3. The Director I.C.D.S.Department of Social Welfare, Bihar Patna.
4. The Divisional Commissioner, Patna Division, Patna.
5. The District Magistrate, Patna.
6. The District Programme Officer, Patna.
7. The Deputy Director Welfare, Patna Division, Patna.
8. The Child Development Programme Officer, Bakhtiyarpur, District- Patna.
9. The Mukhiya Hardaspur Diara Panchayat, Block- Bakhtiyarpur, District- Patna.
10. Smt. Anita Kumari, Wife of Sri Sheoji Rai, resident of Village- Hardaspur, Diara, P.S.- Bakhtiyarpur, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar
For the Respondent/s : Mr. Md.Raisul Haque -Sc10

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for quashing the Advertisement No.01/2018 dated 06.06.2018 issued by the District Programme Officer, Patna and further for directing the respondent No. 7 for issuance of appointment letter to the petitioner in compliance of order dated 26.06.2015 passed by District Programme officer, Patna in Case No. (Remind)-



18/2009.

3. Learned counsel for the petitioner submits that from Annexure-3, (Case No. Remind)-18/2009), it becomes crystal clear that the District Programme Officer, Patna was directed by the Commissioner, Patna to pass order and only thereafter District Programme Officer passed order on 26.06.2015 contained in Memo No.1812 dated 30.06.2015. Learned counsel for the petitioner further submits that instead of issuance of this appointment letter to the petitioner, the order for fresh advertisement has been made from the District Programme Officer, Patna.

4. Learned counsel for the State submits that counter affidavit has been filed and in the counter affidavit, the plea has been taken by the DPO that since petitioner has not approached before the CDPO, therefore, the appointment letter could not be issued. The respondent has taken the plea that since the petitioner did not file the representation before the CDPO in the light of order dated 26.06.2015 passed by District Programme Officer, Patna. It is due to this reason, appointment letter could not be issued and according to respondent, the petitioner never bothered to join to the said post.

5. It transpired to this Court that these are the attitude



of the officials towards the order passed by his superiors.

6. It is directed that the Commissioner, Patna to look into this matter and take final decision within 90 days from the date of receipt / production of a copy of this order. The Commissioner is directed to identify the Officer who is responsible for non-compliance of his superior's direction and action be taken in this regard against the erring officials.

7. With this direction, this writ petition is disposed of.

(Dr. Anshuman, J)

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