

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10772 of 2024

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Anuradha Kumari Wife of Anil Kumar Resident of Village- Kurkuri, Near Panchayat Bhawan, Ward No. 2, Police Station- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal secretary, Social Welfare Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The District Programme Officer, Patna.
4. The Child Development Programme Officer (C.D.P.O.), Phulwari Sharif, District- Patna.
5. The Selection Committee of Anganbari Sevika, Kurkuri Panchayat, P.S. Phulwari Sharif, District- Patna.
6. Kajal Kumari Wife of Amar Kumar Resident of Village- Kurkuri, P.O. and P.S. Phulwari Sharif, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha No.2, Adv.
		Mr. Lala Sachindra Kumar, Adv.
For the State	:	Mr. Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-07-2024 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed for quashing the order dated 13.12.2023 passed in *Anganbari* Appeal No.6 of 2020-21 (annexed as Annexure-13).

3. Learned counsel for the petitioner submits that the Appellate Court has passed order in the light of *Sevika/Sahayika Chayan Margdarshika*, 2016, but in the operative part, he has not assigned any reason either to accept or reject the claim of



the petitioner.

4. Learned counsel for the State submits that permission may be granted to file the counter affidavit in this case. Counsel also submits that private respondent has been added as party in this case.

5. In light of the submissions made by the parties, it transpires to this Court that the District Magistrate, Patna at the time of consideration of this appeal has not passed a judicial order. He has basically pass an order which is administrative in nature without assigning any reason and without consideration of the pleadings of any of the parties.

6. As such, order dated 13.12.2023 passed in *Anganbari* Appeal No.6 of 2020-21 (annexed as Annexure-13) is hereby set aside.

7. The District Magistrate, Patna is hereby directed to pass a reasoned and speaking order considering the points mentioned by the petitioner and opposite party within 90 days from the date of production of the order passed by this Court before him.

8. It is made clear that the said 90 days shall be counted from the date of completion of appearance of the parties.



9. In the meantime, status quo as on date shall be maintained.

10. Accordingly, the present writ petition stands disposed off.

(Dr. Anshuman, J)

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