

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16516 of 2025

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Munni Kumari @ Munni Devi Wife of Shri Vijay Singh@ Vijay Kumar Singh, Resident of Kanuniya Adapur, District East Champaran, Bihar 845301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Social Welfare Department, Government of Bihar.
2. The Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, Social Welfare Department, Integrated Child Development Scheme, Government of Bihar, Patna.
4. The District Magistrate, East Champaran.
5. The Sub Divisional Officer, East Champaran.
6. The District Programme Officer, East Champaran.
7. The Block Development Officer, Adapur, District- East Champaran.
8. The Child Development Project Officer, Adapur, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shantanu Kumar, Advocate
For the Respondent/s : Mr. Abbas Haider, SC-6

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 17-11-2025 1. Heard learned counsel for the petitioner and learned counsel for the respondents.
2. The petitioner has filed the instant application for the following reliefs :-

“I. To set aside the order dated 06.06.2025 passed by the Collector cum District Magistrate, East Champaran, Motihari in Anganvadi Appeal Case No. 10/2015 through which the appeal of the petitioner against the order of termination vide letter no. 353 dated 28.05.2010, issued by the District Programme



Officer, East Champaran, Motihari has been dismissed and the order of the District Programme Officer, East Champaran, Motihari has been upheld.

II. To quash the termination order contained in Letter No. 353 dated 28.05.2010 issued by the District Programme Officer, Motihari, under which the petitioner was removed from service as Anganwadi Sevika.

III. To direct the respondent authorities to reinstate the petitioner on the post of Anganwadi Sevika, with continuity of service and all consequential benefits, including arrears of honorarium.

IV. To pass any other relief /reliefs for which the petitioner is entitled in the facts and circumstance of the case.”

3. The case of the petitioner in brief is that having been appointed as Anganwadi Sevika on 5.7.2004 for Anganwadi Centre no.114 situated at village- Harkhua, panchayat- Dubaha, block- Adapur in the district of East Champaran, the petitioner started discharging her duties/functions.

4. Without going into the details of the case of the parties, from the contents of the petition and the submissions made it transpires that on being served with a show-cause notice and an opportunity having been given to the petitioner to reply



to the same, the petitioner was removed from the post of Anganwadi Sevika by order dated 1.6.2010 passed by the District Programme Officer.

5. The petitioner challenged the same by filing an appeal before the Collector –cum– District Magistrate, East Champaran, Motihari being Miscellaneous Case no.3 of 2010, wherein by order dated 12.7.2010, while admitting the same and calling for the lower Court records, it was directed that status-quo will be maintained.

6. It is the categorical case of the petitioner that the petitioner continued to work in the capacity of Anganwadi Sevika for the above Centre till her appeal (re-numbered as Anganwadi Appeal Case no.10 of 2015) came to be rejected vide order dated 6.6.2025 by the Collector –cum– District Magistrate, East Champaran, Motihari.

7. Learned counsel for the petitioner has taken the Court through the operative portion of the order rejecting her appeal and submits that there is absolute non-consideration of the case of the parties, non application of mind and the rejection only on the ground that considerable time has passed and there does not appear to be extraordinary or urgent situation for re-appointment on the post of Anganwadi Sevika.



8. In the opinion of the Court, besides the fact that the appeal required to be disposed of/decided on merits, it may be observed here that the first paragraph of the order impugned also takes note of the fact that status-quo order had been passed on the petitioner's appeal in the year 2010 itself and the petitioner continued to work on the said post till disposal of the appeal.

9. A prayer for time is made on behalf of the respondents for filing counter affidavit in the case, however this Court is not inclined to grant time in view of the nature of order that it proposes to pass.

10. In view of the facts of the case, as stated herein above, and especially the contents of the order impugned dated 6.6.2025, rejecting the appeal filed by the petitioner being a non-speaking order wherein not even the case of the petitioner has been considered or dealt with, the order dated 6.6.2025 passed in Anganwadi Appeal Case no.10 of 2015 by the learned Collector –cum– District Magistrate, East Champaran, Motihari is set aside.

11. The matter is remanded back to the Collector – cum– District Magistrate, East Champaran, Motihari to decide the case of the petitioner (appellant in the said appeal) on merits



within a period of three months from the date of appearance of the petitioner.

12. The petitioner shall appear before the authority i.e. the respondent no.4 within a period of three weeks from today.

13. It is made clear that this Court has not entered into the merits of the case of the petitioner which is to be considered and decided in the appeal.

14. The writ application stands disposed of with above observations and directions.

(Partha Sarthy, J)

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