

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3322 of 2026

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Chand Kumari W /o Sikander Das, resident of village- Buniyadpur, Ward No.-
3, Block- Shivaji Nagar, Police Station-Hathouri, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principle Secretary, Dept. of Education, Bihar,
Patna
2. The Collector, Samastipur.
3. The District Program Officer, Samastipur
4. The C.D.P.O, Shivaji Nagar, Samastipur.
5. Sujata Kumari W/O Suman ji Jha, resident of village- Buniyadpur, Ward
No.-3, Block- Shivaji Nagar, Police Station-Hathouri, Distt.- Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vivek Kumar, Advocate
For the Respondent/s : Mr.Standing Counsel (11)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 10-03-2026

At the outset, learned counsel for the petitioner prays
for and is permitted to make necessary correction in paragraph
no. 1(i) of the writ petition to the effect that ‘Commissioner,
Samastipur’ shall be read as ‘District Magistrate, Samastipur’
which was typed inadvertently

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. The present writ petition has been filed with the



following relief/s :-

“i) A certiorari setting aside the order dated 24.04.2025 passed in Appeal No. 6 of 2025(Annexure-11) passed by learned District Magistrate, Samastipur, whereby and whereunder the petitioner has illegally terminated/retrrenched from the work/service of Panchayat Sevika.

ii) A mandamus commanding and directing the respondent concerned to make payment of arrear of salary from the period of March 2024 to September 2024 and April 2025.

iii) And/or any other writ/writs, direction/directions, order /orders relief/reliefs for which the petitioner is found entitled.”

4. Learned counsel appearing for the petitioner submits that the petitioner participated in the advertisement process for appointment to the post of Panchayat Sevika in Ward No. 3, Rahiyar North Gram Panchayat, under Shivaji Nagar Prakhand, District Samastipur. Learned counsel further submits that a merit list was prepared in which the petitioner was selected and thereafter she was sent for training at the notified Training Centre. It is further submitted that the petitioner submitted her application along with all relevant documents before the C.D.P.O., Shivajinagar, Samastipur on 01.03.2019



and started discharging her duties sincerely. Subsequently, respondent no. 5, namely, Sujata Kumari, filed a complaint before the District Programme Officer, Samastipur in Case No. 247 of 2019 alleging therein that the petitioner was not residing in Ward No. 3. Thereafter, the District Programme Officer, Samastipur, after hearing the parties, passed an order in Case No. 247 of 2019 on 13.07.2019 removing the petitioner from the aforesaid post. Learned counsel further submits that the petitioner challenged the said order dated 13.07.2019 before the Collector, Samastipur by filing Appeal Case No. 438 of 2019, whereupon the Collector, after hearing the parties, set aside the order dated 13.07.2019 passed by the District Programme Officer, Samastipur and remitted the matter for reconsideration vide order dated 10.03.2023.

5. Learned counsel further submits that upon reconsideration of the matter, the District Programme Officer passed an order dated 11.01.2024 reinstating the petitioner on the post of Panchayat Sevika. The said order was again challenged before the Collector, Samastipur by filing Appeal No. 6 of 2024. Thereafter, the Collector, Samastipur set aside the order dated 11.01.2024 passed by the District Programme Officer, Samastipur in Case No. 438 of 2019/247 of 2019 vide



order dated 24.04.2025. Learned counsel submits that the documents produced by the petitioner were not properly considered by the Collector and the order has been passed only on the basis of the enquiry report. Therefore, it is submitted that the impugned order requires interference by this Court and the same be set aside.

6. On the contrary, learned counsel for the State submits that the dispute has been examined by the District Programme Officer twice as well as by the Collector twice. It is further submitted that an enquiry officer was appointed and the enquiry officer has submitted a report after discussing the entire factual situation. The Collector, while passing the impugned order, has considered every aspect of the matter in detail.

7. Upon perusal of the impugned order passed by the Collector, Samastipur, it transpires to this Court that there is nothing illegal in the order dated 24.04.2025 passed in Appeal No. 6 of 2024 which warrants interference by this Court.

8. As such, this Court is not inclined to interfere with the impugned order. Accordingly, the writ petition stands dismissed.

9. However, if the petitioner has worked during the period for which payment has been claimed in the relief portion,



the District Programme Officer, Samastipur is directed to pass an appropriate order for payment of salary for the said period only after verification that the petitioner had actually worked during the said period.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	11/03/2026
Transmission Date	NA

