

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3192 of 2026

Chandrakala Kumari @ Chandrakala Devi Wife of Amirak Thakur, Resident of Village- Safepur, Post- Nonahi, P.S.- Kako, District- Jehanabad, State- Bihar, PIN- 804418.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Jehanabad.
5. The District Programme Officer, Jehanabad.
6. The District Statistical Officer Cum Additional Registrar (Birth-Death), Jehanabad.
7. The Child Development Project Officer, Kako, Jehanabad.
8. Anju Devi, Sahaayika, W/o Umesh Kumar, Aanganwadi Centre Name- Nonahi Matth, Code- 66, Village- Nonahi- Matth, Panchayat- Nonahi, Block- Kako, P.S.- Kako, District- Jehanabad.
9. Umesh Kumar, Son of Late Madan Mahtoo, H/o anju Devi, Sahaayika R/o Village- Nonahi Math, Post- Nonahi, P.S.- Kako, District- Jehanabad.
10. Sulekha Devi, Wife of Late Umesh Prasad, Village- Nonahi Math, Post- Nonahi, P.S.- Kako, District- Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Deepak Kishore, Advocate
For the Respondent/s : Mr. Ravi Kumar, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

*(i) Issuance of an appropriate
writ/ writs, order/ orders, direction /*



directions, as the revision order dated 30.12.2024, dated 31.7.2025 passed by the Commissioner, Magadh Division Gaya as contained in Aanganbari Revision Case No. 150/2023 dated 30.12.2024, dated 31.07.2025 (Annexure-P/8 and P/9 respectively) as well as the appellate order dated 27.08.2019 / 11.04.21 passed by the District Magistrate, Jehanabad contained in Aanganbari Sevika Appeal Case No. 18/DM/2018 dated 27.08.2019 (Annexure-P/7 to this writ petition) and impugned order dated 15.05.2018 passed by the District Programme Officer, Jehanabad contained in memo no. 605/G./P. Jehanabad dated 15.05.2018 (Annexure-P/4) read with Enquiry Report of District Statics Officer Cum Additional Registrar (Birth-Death), Jehanabad contained in letter no. 807, dated 30.11.2017 (Annexure-P/3) be quashed.

ii. For a further direction on the respondents petitioner should be reinstated to her post as a "Sevika" in regards of Aanganwari Centre- Nonahi Matth Code No. 66, Panchayat Nonahi, Block - Kako, P.S. – Kako, District - Jehanabad. Since, the petitioner has been removed from her position "Aanganbari Sevika" on erroneous grounds, without being provide with the necessary documents upon which charge



was based and without being given a reasonable opportunity to be heard.

iii. For a further direction to the respondents that the petitioner should be acquitted from the charges. As which is based on false grounds as well as not supported by relevant documents. So, such fake charge is not sustainable in view of law.

iv. Any other relief or reliefs be also granted to the petitioner for which they may be found entitled too.

3. Learned counsel for the petitioner submits that the petitioner has lost his case at every level, but he puts emphasis that the order passed by the Commissioner, Magadh Division, Gaya has not been considered on merit. He further submits that the petitioner had handed over his file to his Advocate and subsequently, upon rejection of his revision, he became aware that the order had been passed on many reasons assigned in the order sheet, particularly that the petitioner was not serious about the hearing of his revision and that the precious time of the Court had been wasted. He further submits that the revisional order has not been passed on merit, therefore, this aspect may be taken into consideration.

4. Learned counsel for the State, on the other hand,



submits that the petitioner has lost at the Original Level, Appellate Level as well as Revisional Level and he has very limited scope in the present writ petition.

5. After hearing the parties and perusal of the record, it transpires to this Court that the revisional order has not been passed on merit and only on the ground of carelessness and non-seriousness in placing the case before the revisional authority, this order has been passed.

6. This Court is of the view that in such situation the parties are not responsible, rather, it is the counsel who has to appear and defend. Since the order has not been passed on merit, the revisional order dated 30.12.2024 passed in Anganbari Revision Case No. 150 of 2023 is hereby set aside. The matter is remanded back to the Commissioner, Magadh Division, Gaya (respondent No. 2) directing him to pass an order on merit within 90 days upon production of this order sheet by the petitioner before him.

7. It is made clear that upon production of this order, the Commissioner, Magadh Division, Gaya (respondent No. 2) shall issue notice to all the concerned and, upon appearance of all concerned, the respondent No. 2 shall pass an order on merit within 90 days.



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

9. Accordingly, the present writ petition stands disposed of.

(Dr. Anshuman, J.)

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