

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7859 of 2025

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Sunita Kumari Wife of Madan Kumar Ram, Resident of Village- Dharnipatti,
Block and P.S.- Mohanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary-cum-Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Mission Director, Bihar Mahadalit Vikas Mission, Bihar, Patna.
3. The Secretary to the Government-cum-Chief Executive Officer, Bihar Mahadalit Vikas Mission, Bihar, Patna.
4. The District Magistrate-cum-Second Appellate Authority, Bihar Public Grievance Redressal Forum, Samastipur.
5. The Additional Collector-cum-First Appellate Authority, Bihar Public Grievance Redressal Forum, Samastipur.
6. The District Project Officer-cum-District Welfare Officer, Samastipur.
7. The Sub. Divisional Officer, Patori, District- Samastipur.
8. The Sub. Divisional Public Grievance Redressal Officer, Patori, District- Samastipur.
9. The Block Development Officer, Mohanpur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar, Advocate
For the State	:	Mr. Mujtabaul Haque (GP-12)
		Mr. Pranoy Kumar (AC to GP-12)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 18-06-2026

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

2. The present writ petition has been filed for the
following relief/s:-

*“I. For issuance of an appropriate writ,
order or direction, particularly in the nature*



of writ of Certiorari, quashing the memo no. 196 dated 12.06.2024 issued by the District Project Officer-cum-District Welfare Officer, Samastipur by which the employment of the petitioner on the post of Vikash Mitra in Gram Panchayat Dharnipatti, with the Block: Mohanpur, District: Samastipur has been cancelled.

II. For issuance of an appropriate writ, order or direction, particularly in the writ of Mandamus, commanding and directing the respondent authorities to restore the service of the petitioner and posted the petitioner on the post of Vikash Mitra in Gram Panchayat Dharnipatti, Block: Mohanpur, District: Samastipur with other consequential benefits.

III. For any other relief or reliefs to which the petitioner is found entitled to in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the order under challenge i.e. Memo no. 196 dated 12.06.2024 is a whimsical order and has been passed only due to the reason that the petitioner has earlier moved before this Hon'ble Court twice. Firstly, in C.W.J.C. No. 19153 of 2019 which was disposed of *vide* order dated 25.10.2019 with liberty to the



petitioner to approach the Public Grievance Redressal Officer to raise the grievance. Secondly, in C.W.J.C. No. 11059 of 2021 which was also disposed off *vide* order dated 07.02.2024 with liberty to the petitioner to approach the District Magistrate, Samastipur for redressal of her grievances. Counsel submits that the petitioner was appointed on 04.01.2014, whereas, removal order has passed on 12.06.2024 and this aspect may be taken into consideration.

4. Learned counsel for the State, on the other hand, submits that from the order impugned, it is crystal clear that the total sanctioned strength for the appointment of the Vikash Mitra was 405 (male-222 and female-183) on the recommendation of the Secretary to the Government-cum-Chief Executive Officer, Bihar Mahadalit Mission, Patna. Counsel submits that at the time of passing the removal order, there is no stigma casted against the petitioner. The only point has been taken that the petitioner was appointed beyond the sanctioned vacant post. Counsel also submits that though, the petitioner was appointed beyond the sanctioned vacant post, but the State/ Bihar Mahadalit Mission has taken care that the period for which she worked, all payment has been made and there are no dues for the period she worked. Counsel also submits that the



appointment of Vikash Mitra is only for 11 months which is contractual and the same is extended time to time. But, when it come to the knowledge of the authority that her appointment was illegal at the basic inception itself then on this ground, her cancellation has been made.

5. In the light of the submissions made that the petitioner was appointed beyond the sanctioned vacant post and during the said period, payment has been made to her and there are no dues for the period she worked. This Court finds that the appointment of the petitioner was beyond the sanctioned vacant post and there is no stigma against her in the removal order. Therefore, there is no need of any interference in this matter.

6. Accordingly, the present writ petition stands dismissed.

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	18/06/2026
Transmission Date	NA

