

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9202 of 2024

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Pushpa Kumari Roy Wife of Ashok Kumar Roy resident of A-48, Bhagwat Nagar, Naya Tola, Kumhar, Police Station Agamkuan, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Director, Integrated Child Development Service, Department of Social Welfare, Government of Bihar, Patna.
3. The Joint Director, Department of Social Welfare, Government of Bihar, Patna.
4. The District Programme Officer, Vaishali, District Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rupak Kumar, Advocate
For the State	:	Mr. Nalin Vilochan Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioner and learned counsel for the State.

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

“1. That this writ application is filed for issuance of writ in the nature of certiorari for quashing of notification no. 18 dated 03.01.2022 issued by the Joint Director, Social Welfare Department, Government of Bihar whereunder and whereby penalty of



withholding of two increments with cumulative effect has been inflicted upon the petitioner in absolute derogation and infraction of statutory provision of Bihar Government Servant (Classification, Control and Appeal) Rules 2005.

II. That this writ application is further filed for issuance of writ in the nature of mandamus directing the respondents to grant consequential benefits to the petitioner consequent upon quashing of notification no. 18 dated 03.01.2022.”

3. Learned counsel for the petitioner fairly submits that the petitioner has preferred statutory remedy of review under Rule 24(2) of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005. Counsel submits that as per his information, no order has been passed by the authorities concerned on the petitioner's review petition dated 10.02.2022.

4. Learned counsel for the State submits that counter affidavit has not been filed in this case as yet. But, he submits that according to him, no review petition has been filed. He submits that from Annexure-P/15 which is alleged to be the review petition is without any receiving.

5. In this view of the matter, the petitioner is hereby



directed to avail her remedy firstly before the Revisional Authority (Principal Secretary, Department of Social Welfare, Government of Bihar, Patna) by filing the review petition along with a copy of this order, within 30 days from today. Upon receiving the same, the Revisional Authority i.e. the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna is directed to pass a reasoned and speaking order, within 90 days thereafter.

6. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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