

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1611 of 2014**

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Smt. Reeta Singh, Wife of Sri Dudhnath Singh, Resident of Mohalla - New Chitragupta Nagar, Parbati Path, Behind Ram Kumar Apartment Kankarbagh, Patna - 20, presently posted as Lady Supervisor, Child Development Project Officer, Nasariganj, Rohtas

.... .... Petitioner

Versus

1. The State of Bihar through its Principal Secretary
2. The Secretary, Social Welfare Department, Bihar, Patna
3. The Director, Integrated Child Development Services Directorate, Bihar, Patna
4. The Assistant Director, Social Welfare Department, Bihar, Patna
5. The District Magistrate, Patna
6. The Deputy Development Commissioner, Patna
7. The Assistant Director, Social Welfare Department, Bihar, Patna
8. The District Programme Officer, Patna
9. The District Programme Officer, Rohtas
10. The Child Development Project Officer, Fatuha Daniyama, District - Patna
11. The Child Development Officer, Nasariganj, Rohtas

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Dudh Nath Singh

For the Respondent/s : Mr. Sharat Kumar Sinha, GP-15

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

5      01-12-2015                      Heard learned counsel for the petitioner as well as learned counsel appearing for the State.

2. The petitioner is a Lady Supervisor in the Child Development Project Office. At the relevant time in August, 2012, she was posted at Child Development Project Office, Patna. A charge was framed against her for not submitting her report in new Format nos. V and VI. In her reply, the petitioner submitted that as the new format has not been supplied, she had submitted her



report in old format. The enquiry officer accepted the petitioner's contention and exonerated her of the charges. However, the disciplinary authority, namely, Director, Integrated Child Development Services inflicted punishment of censure vide order dated 22.07.2013 under Rule 14 (1) of the Bihar Government Servant (Classification Control & Appeal) Rules, 2005.

3. The petitioner submits that for alleged similar error only warning has been issued to different Lady Supervisors, whereas punishment of censure has been awarded in her case. She next submits that enquiry officer did not find the charges proved. She further submits that whenever formats are issued by the Child Development Project Office to a Lady Supervisor, necessary entries are to be made in the concerned register, which was not produced before the enquiry officer. She further submits that the copy of the enquiry report was not given to her.

4. Counsel for the State submits that minor punishment has been accorded to the petitioner and as such the regular proceedings, which is initiated in case of inflicting major punishment was not required.

5. I have heard the learned counsel for the parties and perused the materials on record. This Court would not enter into issue of the facts, but one thing is evident from the impugned

order itself that in more or less similar circumstances, warning has been issued to other Lady Supervisors. As such in my view for similar charge and similar defence, the authority ought not to have accorded different punishments. The authority ought to have issued 'warning' to the petitioner, as has been issued to the other Lady Supervisors. The punishment of censure passed by the authority is accordingly set aside with liberty to record 'warning' in the service book of the petitioner.

6. This writ application is allowed to the extent mentioned above.

**(Samarendra Pratap Singh, J.)**

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