

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12210 of 2015

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Phool Kumari Devi wife of shri Lalbabu Prasad, resident of village- Barka Teghra, P.S.- Maharajganj, District- Siwan

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Director, Integrated Child Development Scheme(ICDS), Bihar, Patna
3. The Divisional Commissioner, Saran Division, Chapra
4. The District Magistrate, Siwan
5. The District Programme Officer, Siwan
6. The Child Development Project Officer, Maharajganj, District- Siwan

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Respondent/s : Mr. Nadeem Seraj- Gp20

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 24-08-2015 Heard learned counsel for the parties.

Having regard to the averments made in the supplementary affidavit filed today that the post in question of Anganwari Sahayika occupied by the petitioner before her termination of service on 18.7.2012 has not been filled up as yet, this Court having given some anxious consideration to the findings recorded by the Collector of Siwan District in his detailed appellate order dated 16.10.2012 will not be inclined to interfere with the order of termination of service of the petitioner but then it is made clear that since the petitioner was found to be absent from duty and she had come out with a plea of her illness and her such absence was only for one day, the order of termination of service

shall not weigh against the petitioner in seeking her fresh appointment as and when the post of Anganwari Sahayika in question is advertised. In other words, the petitioner shall also be eligible to compete with others and if she is selected on her own merits, the impugned order of removal of service shall not weigh against her for being selected and appointed.

With the aforementioned limited observations, this application is disposed of.

(Mihir Kumar Jha, J)

surendra/-

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