

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17701 of 2013

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1. Rasmi Devi, W/o Ranjeet Singh, resident of Village Andhra Chhapra (Hera Chhapra) Shambuchak, Police Station- Kalyanpur, District- East Champaran.
 2. Geeta Devi, W/o Ramjeet Sahani, resident of Village- Andhra Chhapra (Shamuchak), Police Station- Kalyanpur, District- East Champaran.
 3. Manorma Devi, W/o Awadesh Singh, resident of Village- Shambhu Chak, Police Station- Kalyanpur, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar through Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
2. Director, I.C.D.S., Govt. of Bihar, Patna.
3. District Programme Officer, Motihari, East Champaran.
4. Child Development Project Officer, Kalyanpur, East Champaran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Respondent/s : Mr. Dinbandhu Singh

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

3 15-12-2015 Heard learned counsel for the petitioners and the Respondents.

The petitioners were Anganwari Sevika and Sahaika posted at Centre nos. 72 and 74 under Kalyanpur Pariyojana in the district of East Champaran.

An inspection was carried out by the State Level Team headed by the Assistant Director (ICDS), Social Welfare Department. On the basis of the report of the State Level Team, the Director, ICDS directed the District Programme Officer, East Champaran, Motihari to cancel the appointments of the petitioners

after providing them an opportunity of hearing. The District Programme Officer, East Champaran on the said direction cancelled the appointment of the petitioners.

In my view, the District Programme Officer, East Champaran erred in cancelling the appointment of the petitioners in view of letter no. 2120 dated 20.10.2012 of Directorate, ICDS. The District Programme Officer, East Champaran should have exercised his own independent mind to the issue without being influenced by the direction of the superior authority.

In the result, this application is allowed and the impugned orders of termination of the petitioners are set aside with liberty to proceed afresh in accordance with law.

(Samarendra Pratap Singh, J.)

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