

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1787 of 2014

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1. Sarita Devi W/O Shri Jai Shankar Prasad Das R/O Village - Khirjan, P.O. Lakhisarai, P.S. Rajoun, District Banka

.... Petitioner/s

Versus

1. The State Of Bihar through Principle Secretary, Social Welfare Dept. Govt. Of Bihar, Patna
2. The Principle Secretary, Social Welfare Department, Govt. Bihar, Patna
3. The Director, Social Welfare Department, Govt. Bihar, Patna
4. The Divisional Commissioner Bhagalpur, District Bhagalpur
5. The District Magistrate, Banka, District - Banka
6. The District Programme Officer, Banka, District - Banka
7. The Child Development Project Officer, Rajoun, District - Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
Mr Ranjan Kumar Jha

For the Respondent/s : Mr. SC17- A. Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 13-03-2015

The order of dismissal of the petitioner from the responsibility of Aanganbari Sevika as contained in Annexures 4, 5 and 6 is required to be set aside because from the said orders of dismissal it is not evident whether the petitioner is a kind of habitual defaulter and has committed breach more than once.

Since the Director has issued a circular laying down the guidelines with the kind of punishment which is required to visit an Aanganbari Sevika and those circulars had not been taken into consideration while removing the petitioner from the responsibility, the matter is required to be reconsidered.

Writ application is allowed. Annexures 4, 5 and 6 are quashed. The Director, ICDS is directed to pass an appropriate order with regard to the kind of punishment which the petitioner deserves in the given facts.

(Ajay Kumar Tripathi, J)

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