

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No 1193 of 2013

IN

Civil Writ Jurisdiction Case No 12429 of 2012

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Veena Kumari W/O Amit Kumar R/O Village - Jamgaon, P.S. Jagdishpur, District - Bhagalpur

.... Appellant/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Social Welfare Deptt. Bihar, Patna
3. The Director, Integrated Child Development, Bihar, Patna
4. The District Magistrate, Bhagalpur
5. The Joint Director, Integrated Child Development Service, Bihar, Patna
6. The District Programme Officer, Bhagalpur
7. The Child Development Project Officer, Jagdishpur, District - Bhagalpur

.... Respondent/s

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For the Appellant/s : Mr Subodh Prasad, Advocate

For the S t a t e : Mr Rajesh Kumar, AC to GP X

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

&

HON'BLE JUSTICE SMT NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 17-02-2016

Heard learned counsel for the appellant at length and, with consent, this appeal is being disposed of at this stage itself instead of dealing with the interlocutory application for stay.

2 The intra-Court appeal is from judgment and order dated 10.05.2013 passed in CWJC No 12429 of 2012 whereby the writ petition of the appellant was dismissed. She had been disengaged as Angan Bari Sevika pursuant to orders of the District Programme

Officer in pursuance to an inspection conducted at her center by Joint Director, ICDS.

3 Learned counsel for the appellant submits that in fact the appellant was selected only for one center but in course of time, she was allotted another centre as well with no extra remuneration. Inspection, having been conducted, her husband was found at the other centre. There are other allegations of mismanagement at the centre. Learned Single Judge, in view of the allegations, refused to exercise his discretion in the matter and interfere. Hence, the appeal.

4 In the writ jurisdiction, this Court exercises power of judicial review. Judicial review is not a power of an appellate authority. It is only to see the decision making process and not the decision itself.

5 In that view of the matter, we are not inclined to interfere. This appeal is, accordingly, dismissed.

6 However, if the appellant has any remedy before the State Government, she may pursue, which the State Government may decide without being prejudiced by our order.

(Navaniti Prasad Singh, J)

(Nilu Agrawal, J)

M.E.H./-

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