

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5423 of 2015

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1. Deena Devi W/o Ravi Kumar, Resident of Village- Bhagwatpur, P.O. & P.S.- Ghosi, District- Jehanabad.
 2. Kamoda Devi W/o Krishna Paswan, Resident of Village- Pathlapokhar, P.O. & P.S.- Ghosi, District- Jehanabad. Petitioners

Versus

1. The State of Bihar.
 2. The Collector-Cum- D.M., Jehanabad.
 3. The District Welfare Officer, Jehanabad.
 4. The Child Development Project Officer, (C.D.P.O.), Ghosi Block P.O. & P.S.- Ghosi, District- Jehanabad.
 5. The District Programme Officer, Jehanabad. Respondents
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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar

For the Respondent/s : Mr. RAM BALAK MAHTO

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 18-05-2016

Petitioners are Anganwari Sevika or Sahaika of Pathla Pokhar Anganwari Center no. 62. Both the petitioners were found absent from the center on 5.9.2011 at 9 AM. A show cause was asked and thereafter services of the petitioners were dispensed with. An appeal carried before the Collector, Jehanabad bearing Case no. 24/DM/2012 too was dismissed on 29.9.2012.

Petitioner no.1 submitted that she was in the ninth month of pregnancy and as such she could not present herself at the Center at the time of inspection at 9 AM. She states that she had stated these facts in her application made on 26.9.2011

addressed to District Magistrate, Jehanabad. Subsequently, she also gave birth to a child, in support of which she has annexed a certificate contained in Annexure 3 to the supp. affidavit.

On behalf of petitioner no.2, it is submitted that she was just a bit late in coming to the center at the relevant time of inspection.

Counsel for the State submits the petitioners have been found absent from the Center on earlier occasions also.

Having regard to the facts and circumstances, the impugned orders, dated 29.02.2012 and 20.9.2012 so far as it relates to petitioner no.1, is set aside and the writ petition is thus allowed. The writ petition in respect of petitioner no.2 fails and is dismissed accordingly.

Shashi.

(Samarendra Pratap Singh, J)

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