

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6149 of 2016

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Kumari Nutan, wife of Arun Kumar Thakur, resident of Village- Fulwariya,
Police Station- Fenhara, District- East Champaran.

.... Petitioner/s

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, Areraj, East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Respondent/s : Mr. Sharad Kumar Sinha, GP-15

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 28-06-2016 Heard counsel for the petitioner and learned counsel
appearing for the State.

The petitioner seeks quashing of the order, dated
25.08.2014, issued by the District Programme Officer, East
Champaran, whereby her appointment as Anganwari Sevika of
Centre No. 29 of Fenhara Pariyojana in the District of East
Champaran has been cancelled.

The petitioner submits that the impugned order has been
passed without providing her an opportunity to defend her case.
She next submits that merely because the centre was closed on one
occasion, the service of the petitioner has been retrenched.

The State has filed Counter Affidavit. Learned counsel

appearing for the State submits that the centre was found closed on 15.12.2013 without any information to the Superior Authorities. Besides this, certain irregularities have been found on other dates. He submits that in para-8 of the Counter Affidavit, it is stated that District Programme Officer, East Champaran, after verification, instituted Case No. 191/14-15 against the petitioner. He lastly submits that there is a remedy of appeal.

As there is remedy of appeal, this Court, in the facts and circumstances of the case, grants liberty to the petitioner to take resort to remedy of appeal. It goes without saying that if any appeal is filed by the petitioner, delay, if any, in filing of the appeal be condoned, as the petitioner was pursuing his case before this Court.

With the aforesaid direction, the writ application is disposed of.

(Samarendra Pratap Singh, J)

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