

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20376 of 2013

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1. Anita Kumari, W/O Prabhat Kumar, resident of Village Ahiyapur, Police Station- Sahebganj, District Muzaffarpur
 2. Jahida Khatoon W/O Md. Karim, resident of Village Nawada (Ahiyapur), Police Station- Sahebganj, District Muzaffarpur

.... 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, Muzaffarpur
4. Child Development Project Officer, Sahebganj, Muzaffarpur

.... Respondents

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Appearance :

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

For the Respondent/s : Mr. Rajiv Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 25-01-2016

Heard learned counsel for the petitioners and the respondents.

2. The petitioners seek quashing of the order dated 23.08.2013 passed by the District Programme Officer, Muzaffarpur whereby their appointments as Anganwari Sevika (Centre Nos. 7 and 8) in the district of Muzaffarpur, have been cancelled.

3. The petitioners submit that the impugned order has been passed at the behest of Directorate, Integrated Child Development Scheme (ICDS). The petitioners submit that similar matters have earlier come for consideration before this Court in C.W.J.C. No. 23830 of 2013 and C.W.J.C. No. 17701 of 2013,

disposed of on 17.12.2015 and 15.12.2015. Though this Court would not go into the sufficiency or otherwise of the materials, on which the appellate authority cancels the appointments, but due interference would become imperative, if the order is passed at the behest of the superior authorities, which is the situation in the instant case.

4. The impugned order is accordingly quashed and the matter is remitted to the District Programme Officer, Muzaffarpur for passing a fresh order. As the petitioners have succeeded on a technical ground, it is expected that appropriate order would be passed within a period of two months from the date of receipt of a copy of this order.

5. The writ application is allowed only to the extent mentioned above.

(Samarendra Pratap Singh, J.)

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