

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4527 of 2014

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1. Prabha Singh, Wife of Sri Gopal Singh @ Gopal Sharan Singh, Resident of Village- Tola Makhbulpur Shamsheer Nagar, P.S.- Daudnagar, District- Aurangabad
 2. Gangiya Devi, W/o Ram Balak Ram, R/o Village- Shamsheer Nagar, Chamar Toli, P.S.- Daudnagar, District - Aurangabad

.... Petitioners

Versus

1. The State of Bihar, through the Principal Secretary of the Social Welfare Department, Government of Bihar, Patna
2. The Director, Integrated Child Development Scheme, Social Welfare Department, Govt. of Bihar, Patna
3. The Deputy Director of Welfare, Magadh Division, Gaya
4. The District Magistrate, Aurangabad
5. The District Programme Officer, Aurangabad
6. The Sub Divisional Officer, Aurangabad, Dist. - Aurangabad
7. The Child Development Project Officer, Daudnagar, P.S. - Daudnagar, Dist. - Aurangabad

.... Respondents

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Appearance :

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

For the Respondent/s : Mr. Md. N. Hoda Khan

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

12 17-05-2017 Heard learned counsel for the petitioners and the respondents.

The petitioners were selected on the post of Anganwari Sevika and Anganwari Sahaika and posted in Anganwari Centre, Code No.97, Shamsheer Nagar, Daudnagar in the district of Aurangabad.

It appears from the impugned orders that the employment of the petitioners have been cancelled vide order, dated 19.05.2012, issued by the District Programme Officer,



Aurangabad on the ground that they had remained absent from the centre on one day, i.e. 09.11.2011.

Learned counsel disputes the said allegation and submits that petitioner no.1, in fact, was on duty of immunization programme and petitioner no.2 was not well.

Even assuming the allegations to be true, the services of the petitioner ought not to have been dispensed with on the ground that they were absent on one day, as the punishment is too harsh.

In the result, the impugned orders, dated 19.05.2012 passed by the District Programme Officer, Aurangabad and 21.11.2013, passed by the Deputy Director of Welfare, Magadh Division, Gaya, are set aside and the petitioners are directed to be reinstated in service.

The writ application stands allowed.

(Samarendra Pratap Singh, J.)

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