

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6853 of 2014

=====

Jagdamba Devi Wife Of Jitendra Kumar Resident Of Village Wasilpur, P.S. Arwal,
District Arwal, Bihar.

.... Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Social Welfare Department,
Government Of Bihar.
2. The Joint Secretary, Social Welfare Department, Government Of Bihar, Patna.
3. The Divisional Commissioner, Gaya Division, Bihar.
4. The District Magistrate, District Arwal, Bihar.
5. The Child Development Project Officer, District Arwal, Bihar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan, Adv.
For the Respondent/s : Mr. SC-5 S.KUMAR

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 27-07-2017

Heard both sides.

2. The petitioner by filing this writ petition prayed to quash the order dated 13.07.2012 as contained in letter no. 128 (annexure – 3) by which the C.D.P.O., Arwal cancelled the selection of the petitioner Jagdamba Devi from the post of Sahayika of center no. 20.

3. The sole ground on which the petitioner assailed the order that direction was issued by the Director ICDS, Patna vide letter no. 3407 dated 21.12.2011 and in pursuance of the aforesaid direction the C.D.P.O., Arwal issued letter terminating the services of the petitioner, as contained in annexure-3. As per the direction, for



removal of Angan Bari Sevika/Sahayika, the District Programme Officer is authorized to take action for cancellation of selection of any Angan Bari Sevika/Sahayika, if they are found committing any irregularity or illegality. The order passed by the C.D.P.O., Arwal is in very mechanical and perfunctory manner. It is further submitted that Manju Devi whose name appeared at Sl. No. 1 in annexure – 2 preferred writ petition C.W.J.C. No. 16789/12 and this court vide order dated 17.01.2014 set aside the order of termination of Manju Devi. The case of the petitioner stands on the same footing. Learned counsel for the State did not controvert the facts.

4. Having considered the facts aforesaid, I find that the order of cancellation of the petitioner from the post of Angan Bari Sahayika is arbitrary and bad in law, as the same does not contain any reason. Accordingly, the order dated 13.07.2012, as contained in letter no. 128 (annexure – 3) is set aside. The writ petition is allowed.

(Prabhat Kumar Jha, J.)

Vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.08.2017
Transmission Date	NA

