

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2129 of 2014

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1. Lalmuni Kumari Wife Of Rajendra Prasad Resident Of Village Gaderiya
Bigha, Islampur, P.O. Islampur, P.S. Islampur, District Nalanda At
Biharsharif

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner /Secretary, Social Welfare Department, Bihar, Patna
3. The Director , (Icds) Of Social Welfare Department, Government Of Bihar, Patna
4. The Deputy Director, Welfare, Patna Division, Patna
5. The District Magistrate, Nalanda At Biharsharif
6. The District Programme Officer, Nalanda At Biharsharif
7. The Child Development Project, Islampur, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Respondent/s : Mr. Ga-5 Jai Shankar Barnwal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 24-07-2017

Heard both sides.

The petitioner seeks quashing of the order dated 18.10.2013 / 26.10.2013 passed by the Deputy Director, welfare Patna Division, Patna in Memo of Appeal No. 146 of 2012 whereby, the appeal of the petitioner has been dismissed, confirming the order of the District Programme Officer dated 26.07.2012 as contained in Memo No. 3140 of 2012 whereby, the service of the petitioner as Anganwari Sevika has been terminated.

Learned counsel for the petitioner has submitted that



the order of termination of the petitioner and the dismissal of the appeal by the Deputy Director Welfare Patna, Division Patna are on the ground that the Child Development Project Officer, in fact, inspected the Centre of the petitioner Anganwari Centre Gaderiya Bigha, Centre Code No. 91 of petitioner at 1.10 p.m. and reported that no child was present and no sufficient nutritious food was prepared.

The petitioner in reply to his show cause specifically stated that the Child Development Project Officer inspected the Centre after the working hour. The report was not made in consonance with the letter as contained in Letter No. 956 dated 14.03.2012 issued by the Directorate C.D.P.O. which enumerated the manner in which the report should be made after inspections of Anganwari Centre but it appears from the report and show cause of the petitioner that the CDPO inspected the Centre of the petitioner at 12.30 on 18.05.2012 but no child was present, although, in the register, the attendance of 39 children were made. The Sahayika of the Centre disclosed that only 15 children had come on that date, even less quantity of nutritious food '*posaaahar*' was prepared.

It has also been stated in the report that earlier also the



Anganwari Centre, run by the petitioner, was inspected and the service of the petitioner was not found satisfactory, therefore, there was deduction of 60% of nutritious food for the running of the Centre of the petitioner

Having considered the facts discussed, I find that the petitioner utterly failed to give satisfactory service in order to prevent malnutrition among the children and thus, I do not find any merit in this writ petitioner accordingly, the same is dismissed.

(Prabhat Kumar Jha, J)

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