

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5446 of 2014

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1. Sunita Devi Wife Of Birendra Rai Resident Of Village- Kararwana Gote, P.O.-
Bangraha; Police Station- Sursand; District- Sitamarhi.... Petitioner

Versus

1. The State Of Bihar
 2. The District Magistrate-Cum-Collector, Sitamarhi
 3. The District Magistrate-Cum-Collector, Sitamarhi
 4. The Child Development Project Officer, Sursand, Sitamarhi Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal, advocate

For the Respondent/s : Mr. GA11- Partha Sarthy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 24-07-2017

Heard both sides.

The petitioner seeks quashing of the order dated 26.02.2011, as contained in memo No. 143, issued under the signature of District Programme Officer, Sitamarhi (annexure-3), by which service of petitioner as Anganwari Sahaika of Kararwana Gote Centre No. 72, Sursand was disengaged. The petitioner further prayed to quash the order dated 22.05.2012 passed in Anganwari (Misc.) Case No. 30/2011-12 by which the Collector, Sitamarhi dismissed the appeal of petitioner confirming the order of her disengagement passed by the District Programme Officer, Sitamarhi.

The petitioner was selected to work as Anganwari Sahaika in the year 2004 for Kararwana Gote Centre No. 72, Sursand. The Anganwari Centre of petitioner was inspected on 15.12.2010 and 15.02.2011. The functioning of the centre was found unsatisfactory and Sahaika of the centre was found absent on 15.12.2010 and 15.02.2011. The Sevika and Sahaika were called upon to show cause. After considering the explanation of Sevika, she was asked to continue with warning to improve the functioning of the centre but petitioner was



disengaged from service.

The learned counsel for the petitioner submits that on 15.12.2010 son of the petitioner suffered from loose motion and vomiting and, therefore, the petitioner could not attend the centre. It is further submitted that on 15.02.2011 the petitioner herself fell ill and, therefore, she could not attend the centre. The petitioner submitted her show cause but the District Programme Officer did not at all consider the show cause of the petitioner and she was disengaged from the post of Anganwari Sahaika of Kararwana Gote Centre No. 72, Sursand but it appears from the order of District Programme Officer that he himself inspected the centre on 15.12.2010 and 15.02.2011. The functioning of the centre was found unsatisfactory, less amount of nutritious food was found prepared and there was shortage in the stock. The Anganwari Sevika informed that Sahaika, the petitioner, did not come to centre and on both dates the petitioner was found absent. There is nothing on record to show that petitioner informed the Sevika about her absence from duty. The petitioner was in the habit of absenting herself from the centre and on this ground her service was discontinued by the District Programme Officer and the Collector also did not find any illegality in the order.

I do not find any illegality in the impugned orders. This writ petition is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

BKS/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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