

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3105 of 2016

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Nagmati Devi, wife of Sri Dina Nath Ram, Resident of Village - Bhatan Bigha,
Post - Mujahar, Police Station - Haspura, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Deputy Director, Welfare, Magadh Division, Gaya.
3. The District Programme Officer, Aurangabad.
4. The Child Development Project Officer, Haspura, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh, Adv.

For the Respondent/s : Mr. Kamlesh Kishore, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 13-12-2017

Heard Mr. Kamendra Prasad Singh, learned counsel appearing
for the petitioner and Mr. Kamlesh Kishore, learned Assisting Counsel to
Standing Counsel No.12 for the State.

The petitioner is aggrieved by the order dated 25.4.2014 passed
by the District Programme Officer, Aurangabad in Case No.66 of 2014
communicated vide Memo No.546 dated 26.4.2014, whereby she has
been terminated from the post of Anganbari Sevika, Anganbari Kendra,
Bhatan Bigaha, Code No.55 under Block Haspura in the district of
Aurangabad which order has been confirmed by the appellate order
passed by the Deputy Director, Welfare, Magadh Division, Gaya in
Anganbari Sevika Appeal No.123(ka) of 2014, whereby the appeal
preferred by the Anganbari Sevika has been rejected vide order passed on
27.10.2014.

Although Mr. Singh, learned counsel appearing for the petitioner
has raised the issue on the procedure followed in the matter inasmuch as



according to him, a fair procedure and due opportunity was not given to the petitioner but considering the statements made at paragraphs 5 to 11 of the counter affidavit filed on behalf of the State as well as the submission of Mr. Kishore, learned Assisting Counsel to Standing Counsel No.12 who informs that while the termination order is dated 25.4.2014 and the appellate order was passed on 27.10.2014, a selection process to appoint an Anganbari Sevika afresh was initiated in the year 2015 which culminated in an appointment order passed on 12.12.2015 and it is after completion of the process that this writ petition has been filed on 12.2.2016.

In my opinion, even if, there be any grievance of the petitioner as to the procedure adopted but considering the statement made at paragraphs 5 which confirms her to be repeated offender having not been found up to marks in discharge of duty of Anganbari Sevika coupled with the fact that the fresh process to appoint an Anganbari Sevika consequent upon the removal of the petitioner has already been completed, I find no reason to interfere with the orders put to challenge, either on merits or on delay.

The writ petition is dismissed.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
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