

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6816 of 2014

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1. Mamta Kumari Wife Of Arvind Kumar, R/O Village- Nepura Musahari, P.S.-
Silao, Distt- Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary.
2. The Commissioner, Patna Division, Patna
3. The Director, Welfare, Bihar, Patna
4. The Deputy Director, Welfare, Patna Division, Patna
5. The District Programme Officer, Nalanda
6. The Child Development Project Officer, Silao

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra
For the Respondent/s : Mr. Rajiv Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 03-08-2017

Heard both sides.

The petitioner has filed this writ petition for quashing the order dated 08.01.2014/ 05.02.2014 passed in Anganwari Appeal No. 121 of 2010 by which appeal of the petitioner has been dismissed. The petitioner further prayed to quash the order dated 30.06.2012, as contained in Annexure-3, passed by the District Programme Officer by which the District Programme Officer cancelled the selection of the petitioner from the post of Anganwari Sevika.

The petitioner was working on the post of Anganwari Sevika but her selection was cancelled on the basis of inspection report that on the date of inspection only 15 children were present. Mid day meal was not prepared. The petitioner submitted her explanation but the District Programme Officer cancelled her selection. In appeal the Deputy Director, Social Welfare, also dismissed the appeal and confirmed the order of District Programme Officer.



The learned counsel for the petitioner submits that petitioner filed her show cause (Anexure-2) and stated that she was present at the centre on the date of inspection and she had gone to bring the children. Mid day meal was also prepared. It is further submitted that villagers and others have wrote letters that the petitioner was running the centre satisfactorily but the District Programme Officer did not consider the explanation of the petitioner.

The learned counsel for the State submitted that many discrepancies were found at the time of inspection. The petitioner was removed from the post of Anganwari Sevika and fresh appointment has already been made.

After having considered the facts and submissions of the parties, I find that on 19.05.2012, the Probationary Officer, ICDS inspected the centre of the petitioner situated in village Nepura, centre No. 115 and only 15 children were found present. The Mid day meal was found not prepared. The Probationary officer found many other discrepancies. The selection of the petitioner has been cancelled on the ground that petitioner was not providing sufficient service to the children and the object of the scheme is being frustrated.

Therefore, I do not find any reason to interfere in the order. This writ petition is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

BKS/-

AFR/NAFR	NAFR
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