

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.845 of 2014
IN
Civil Writ Jurisdiction Case No. 22828 of 2012**

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Nirmala Devi wife of Shri Chulhai Manjhi, resident of village- Jalalpur, P.O. Sharif
Jalalpur, Police Station- Basantpur, District- Siwan

.... Appellant/s

Versus

1. The State of Bihar through the Secretary, Social Welfare Department,
Government of Bihar, Patna
2. The Director, I.C.D.S., Social Welfare Department, Government of Bihar,
Patna
3. The District Magistrate, Siwan
4. The District Programme Officer, Siwan
5. The Child Development Project Officer, Lakari Naviganj, District- Siwan

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sachida Nand Rai, Advocate
For the Respondent/s : Mr. Anant Pd. Singh, SC-15
Mr. Sanjay Kumar, AC to SC-15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 10-04-2017

Seeking exception to an order dated 6.3.2014 passed
by the learned Writ Court in C.W.J.C. No.22828 of 2012 refusing to
interfere with the orders passed by the Collector and the competent
authority in the matter of appointment of Anganwari Sevika this



appeal has been filed under Clause 10 of the Letters Patent.

Even though learned counsel for the petitioner tried to indicate that the petitioner has been dealt with harshly and only on account of a day's absence from the centre in question, she has been removed, we find that on 14.1.2012 when inspection of the Anganwari Centre was undertaken at about 11:30 a.m., it was found that the petitioner was absent from the centre in an unauthorized manner. Petitioner submitted that she had gone to the Bank for collecting her honorarium and she had taken permission for doing so from the Head Master.

Due to the petitioner leaving the centre in such an authorized manner, her contract appointment has been cancelled and challenging the same when the writ petition was filed, the learned Writ Court found that as the petitioner was only on contract appointment and on close scrutiny of the various aspects of the matter the District Magistrate has exercised his jurisdiction. Finding no case for interference under Article 226 of the Constitution in the matter of cancellation of such a contract appointment, the writ petition has been dismissed.

In doing so, we are of the considered view that, the



writ Court has committed no error warranting re-consideration.

The appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

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