

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22742 of 2013

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Smt. Meera Kumari Wife of Sri Ram Narain Singh Resident of Village-
Dumariyahi, P.S.- Babubarhi, District- Madhubani

.... Petitioner

Versus

1. The State of Bihar through Secretary, Social Welfare Department,
Government of Bihar, Patna
2. The Secretary, Social Welfare Department, Government of Bihar, Patna
3. The Deputy Secretary, Social Welfare Department, Government of Bihar,
Patna
4. The Commissioner, Darbhanga Division, Darbhanga
5. The District Magistrate, Madhubani
6. The District Programme Officer, Madhubani
7. The Child Development Programme Officer, Babubarhi, District Madhubani

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjeet Kumar, Advocate

For the Respondents : Mr. Md. Harun Quareshi, AC to SC 01

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-10-2017

The present writ petition has been filed for quashing the orders dated 15.04.2011/25.04.2011 passed by the District Programme Officer, Madhubani whereby the services of the petitioner as Anganwari Sevika at Anganwari Centre 77, Basba Panchayat, District Madhubani has been terminated; for quashing the order dated 10.10.2011 passed in Anganwari Appeal No. 23/2011-12 passed by the learned District Magistrate, Madhubani whereby the appeal preferred by the petitioner against the orders dated 15.04.2011/25.04.2011 passed by the District Programme Officer, Madhubani has been dismissed; for quashing the order dated 10.08.2013 passed in Anganwari Case No. 48/2011-12 passed by the learned Commissioner, Darbhanga Division, Darbhanga whereby and whereunder the revision preferred by the petitioner against the order dated 10.10.2011 passed in Anganwari Appeal No. 23/2011-12 passed by the learned District Magistrate, Madhubani has been dismissed after affirming the order passed



by the learned District Magistrate, Madhubani; and for connected reliefs.

2. Learned counsel for the petitioner submits that the higher authorities have failed to consider the illegality committed in the order of termination of the petitioner as Anganwari Sevika as the termination order has been passed by the same authority who had conducted the enquiry and allegedly found irregularities at the Anganwari Centre.

3. Having heard learned counsel for the petitioner, this Court is not inclined to interfere in the matter. The enquiry has been conducted by the District Programme Officer as required in terms of letter dated 14.03.2011 issued by the Deputy Secretary, Social Welfare Department, Patna. According to the relevant guidelines it is the District Programme Officer who is the authority competent to pass orders of termination. The petitioner has not shown any material or circumstance which has caused prejudice by reason of the order having been passed by the same authority who conducted the enquiry. Learned counsel for the petitioner fairly accepts that this aspect of the matter was not raised in appeal or in revision.

4. The writ petition is devoid of merit and is dismissed as such.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
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