

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13761 of 2013

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Sunita Kumari Wife Of Ashok Singh Resident Of Village Nandhi Nagar, Ghabhtal,
Police Station Danapur, Distt. Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director, I.C.S.D. Directorate, Social Welfare Department, Govt. Of Bihar, Patna
3. The Secretary, Social Welfare Department, Govt. Of Bihar, Patna
4. The District Appellate Authority Cum The District Magistrate, Patna, District- Patna
5. The District Programme Officer, Patna, District- Patna
6. The Child Development Project Officer, Danapur, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Adv.
For the Respondent/s : Mr. Ramadhar Singh, GP-25

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 27-11-2017

Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner was appointed as Anganvari Sevika at Center No. 174, an inspection was conducted, it was found that the none was displayed in the notice board, only 27 children were present whereas the attendance has been shown of 40 children, Take Home Ration was not distributed properly as lesser amount was given to the beneficiaries, whereafter, the petitioner was directed to deposit Rs. 2905/- which the petitioner has complied by depositing the same. The District Programme Officer, Patna has held an enquiry and vide



order dated 16.7.2011 passed in Misc. Case No. 75/11-12, the petitioner was given liberty to place her case and, after considering the explanation, it has been recorded that the petitioner did not display the correct information in the Notice Board and there was variance of children mentioned in the attendance sheet and the actual presence of the children as also there was short supply of the T.H.R. The order was considered by the Collector and the Commissioner also. All of three authorities have affirmed the order of the D.P.O., Patna.

Learned counsel for the petitioner has submitted that the petitioner has not committed any wrong and there was entry made in the notice board and during inspection as it was seen from the rear side, he could not locate the entries in the notice board. Further said that on account of fear of bodyguard of the D.P.O., few children had left the place, there a denial has been made that the correct supply T.H.R. was made and the persons, who are beneficiary, have filed their affidavit.

Learned counsel for the State has submitted that the petitioner was not holding the civil post rather she has been assigned the job for distribution of the material to the children and other beneficiaries, she is neither a government servant nor any semblance of any relationship of master and servant. Further said that there was an allegation of short supply of grains to the beneficiaries as well as at



same time recording a wrong entry in the register.

Having considered the rival conditions of the parties and the fact that all the three forums have passed the order against the petitioner, the petitioner has not brought any material to show that the findings recorded by them is perverse or is based on no evidence, this Court does not find any merit in this writ application and the same is, accordingly, dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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