

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8310 of 2014

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Domini Devi Wife of Dinesh Sharma Resident of Village- Sakhn P.O. Sakhua,
Police Station- Pipra District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Welfare Department, Govt. of Bihar, Patna
2. Commissioner, Kosi Division, Sabour
3. Regional Development Officer, Kosi Division, Saharsa
4. District Programme Officer, Supaul
5. Child Development Project Officer, Pipra, Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Malhotra, Sr. Adv.
For the Respondent/s : Mr. Umesh Narayan Dubey, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 04-08-2017

Heard both sides.

2. The petitioner prayed for following relieves:-

(i.) for setting aside the order dated 31.05.2013 as
contained in Memo No. 719 passed by the District Programme
Officer, Supaul in Case No. 162/13.

(ii) for quashing the order of Regional Development
Officer, Kosi Division, Saharsa dated 03.03.2014 passed in Appeal
No. 03/2013.

3. Learned counsel for the petitioner submits that
inspection of Angan Bari Centre no. 12 was done on 27.11.2012 at
11.30 a.m. and the petitioner was found absent, but for absence of
single day the selection of the petitioner was terminated. The



punishment is bad, harsh and arbitrary. Assuming that the petitioner was not present on single day, she should not have been terminated rather at the first instance minor punishment should have been given.

4. Learned counsel for the respondents filed counter affidavit, but could not give any good reason for dismissing the petitioner from the post of Angan Bari Sahayika for her one day absence.

5. Having considered the submissions of the parties, I find that for absence of one day of the petitioner, the order of termination of the petitioner from the post of Angan Bari Sahayika is unreasonable, arbitrary, bad and not sustainable. Accordingly, the order dated 31.05.2013 as contained in Memo No. 719 in Case No. 162/13 and the order dated 03.03.2014 passed in Appeal No. 03/2013, as contained in annexure-1 series are set aside and the writ petition is allowed.

(Prabhat Kumar Jha, J.)

Vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.08.2017
Transmission Date	NA

