

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.718 of 2014

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Trishala Devi, Wife Of Sri Vinod Ram, resident of village Deora Math, P.S. Ghoshi, District Jehanabad, the then Anganbari Sevika Of Anganbari Centre Code No. 06, Deoramath under the Child Development Project Office, Modanganj, District Jehanabad

.... Petitioner

Versus

1. The State of Bihar through its Secretary, Department of Social Welfare.
2. The Director (I.C.D.S.), Patna
3. The District Magistrate, Jehanabad
4. The Deputy Director, Welfare, Magadh Division, Gaya
5. The District Programme Officer, Jehanabad
6. The Child Development Project Officer, Modanganj, District Jehanabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh, Advocate

For the Respondent/s : Mr. Kaushal Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

14 28-06-2017 Heard learned counsel for the petitioner and the State.

The petitioner prays for quashing of the order, dated 30.06.2012, passed by the District Programme Officer, Jehanabad and also for quashing of the order, dated 05.10.2013, passed in appeal by the Appellate Authority.

The petitioner was selected as Anganbari Sevika in Anganbari Centre Code no.6, Dewra Math, Block Modanganj, District Jehanabad.

The District Programme Officer, Jehanabad cancelled the selection of the petitioner vide order, dated 30.06.2012, on the ground that she remained absent on two dates i.e. 07.04.2012 and



27.04.2012. The appeal, being Anganbari Appeal No. 17AM Jehanabad /2013, filed by the petitioner before the appellate authority, was dismissed vide order, dated 05.10.2013.

Learned counsel submits that she had to leave the Anganbari centre on account of emergent situation arising consequent to hospitalization of her husband.

It appears that the petitioner was appointed as Anganbari Sevika in 2002 and there has not been any reported flaw till the month of April, 2012.

Having regard to the aforesaid circumstances, the punishment of removal from the post of Anganbari Sevika seems to be too severe.

In the result, the order, dated 30.06.2012, passed by the District Programme Officer, Jehanabad and order, dated 05.10.2013, passed by the Appellate Authority, are set aside and the petitioner is directed to be reinstated in service, but without any back wages.

The writ application stands allowed.

(Samarendra Pratap Singh, J.)

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