

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15019 of 2014

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1. Kiran Devi wife of Bishnu Thakur Resident of Village- Simariya, P.S.- Barahara,
District- Bhojpur Petitioner/s

Versus

1. The State of Bihar through the Director I.C.D.S., Bihar, P.S. Sachiwalaya, Patna
District Patna
2. The District Programme Officer, P.S.- Nawada, Arrah, District- Bhojpur
3. The Child Development Project Officer, Barahara Block, P.S.- Barahara,
District- Bhojpur Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra

For the Respondent/s : Mr. SC-10 S.S.PRASAD

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 10-10-2017

Heard both sides.

The petitioner seeks quashing of the order dated 14.08.2012, as contained in memo No. 1151, issued by the District Programme Officer, Bhojpur by which appointment of the petitioner from the post of Anganwari Sevika of Centre No. 113, Harizan Toli, Pararia, has been cancelled. The petitioner further seeks quashing of the order dated 26.03.2014 passed in Appeal No. 63/2012-13 whereby the Appellate Authority, Deputy Director, Social Welfare, Patna Division, dismissed the appeal of the petitioner and affirmed the order passed by the District Programme Officer.

The petitioner was working as Anganwari Sevika, Harizan Toli, Pararia, Barhara, Centre No. 113. On 28.06.2012 the centre was inspected and it was found that functioning of the centre was not up to the mark. Only five children were present at the centre. The petitioner was called upon to show cause. The petitioner submitted her reply stating that since there were three marriages in the villages, therefore, the children could not come to the centre. The petitioner has brought food after



preparing the same from her house. The District Programme Officer finding the explanation unsatisfactory discontinued the petitioner from the post of Anganwari Sevika. The petitioner preferred appeal but the appellate authority also dismissed her appeal.

The learned counsel for the petitioner submits that the petitioner was working as Anganwari Sevika for last 21 years but no discrepancy or insufficiency was found in the service of the petitioner. On one day, i.e., on 28.06.2012, surprise inspection was made at the centre. The petitioner gave her reply stating about non presence of children on account of marriages in the village but the District Programme Officer as well as the appellate authority did not consider the explanation of the petitioner. The learned counsel for the petitioner further submits that on similar facts the Deputy Director, Social Welfare, set aside the order of disengagement of another Anganwari Sevika but on perusal of the records I find that the petitioner did not provide sufficient service to the children and even on the date of inspection only five children were present. The petitioner had not prepared food for the children at the time of inspection. Admittedly, Anganwari Sevika is engaged on honorarium to prevent malnutrition among the minor children and the pregnant lady but on the date of surprise inspection the service of the petitioner was found unsatisfactory. Therefore, I do not find any illegality in the impugned orders. This writ petition is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

BKS/-

AFR/NAFR	NAFR
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