

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1865 of 2017

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1. Shanti Devi, W/o Sri Munna Kumar, R/o Mohalla- Mansur Nagar, P.O.-
Sohsarai, P.S.- Sohsarai, Biharsharif, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director Integrated Child Development Scheme (ICDS), Bihar Patna.
3. The District Magistrate, Nalanda at Biharsharif.
4. The District Programme Officer, Nalanda at Biharsharif.
5. The Child Development Project Officer, Biharsharif, District- Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar

For the Respondent/s : Mr. Kaushal Kr.Jha-Aag8

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-03-2018

At the outset, the learned counsel for the petitioner submits that the claim of the petitioner herein has been accepted by the respondents in paragraph no. 5 of the counter affidavit which reads as follows:-

“ The fact in brief as indicated in the present writ petition is that the petitioner has been appointed as the Anganbari Sahayika at Anganbari centre code no. 50, under ward no. 20, Mohalla-Mansur Nagar, Biharsharif, Nalanda. Subsequently, on account of resignation of the then Sevika Chandrawati Devi submitted on 30.03.2011, the petitioner discharged her duty as Sevika-cum-Sahayika till 18.06.2011, the



date on which one Mintu Kumari appointed as Sevika of the said centre. However, Sevika Mintu Kumari has been discharged from her service due to her continued absence from 05.03.2012 and since then the petitioner is running the centre in both capacity as Sevika and Sahayika till now. It is made clear that the claim of the petitioner relating to the honorarium for the same is against the guidelines issued by the I.C.D.S. Directorate. There is no such provision in the guidelines of the I.C.D.S. Directorate to make payment of the honorarium of Sevika even in her absence to the Sahayika. Moreover the fact remains that the petitioner is Bhabhi of the local Ward Commissioner which is violation of clause 04/4.8 of the guidelines (amended), 2011 as mentioned in memo no. 3201, dt. 07.08.2015 issued under signature of the Secretary, Social Welfare Department, Government of Bihar, Patna as it appears in memo no. 2862 dt. 04.11.2011 issued by the respondent no.1 .”

In view of the aforesaid, the respondents are directed to deal with the case of the petitioner in accordance with the aforesaid paragraph no.5 of the counter affidavit and take



appropriate steps within a period of four weeks from today.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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