

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1554 of 2015

IN

Civil Writ Jurisdiction Case No. 8626 of 2013

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1. Gudia Kumari wife of Sri Ajay Rai
2. Anita Devi, wife of Sri Maheshwari Rai both residents of village- Paharpur, P.S. Jurawanpur, and District- Vaishali

.... Appellant/s

Versus

1. The State of Bihar
2. The Director, ICDC, Department of Social Welfare, Government of Bihar
3. The Divisional Commissioner, Tirhut Division at Muzaffarpur
4. District Magistrate, Vaishali at Hajipur
5. The District Programme Officer, Vaishali at Hajipur
6. The Child Development Project Officer, Block- Raghapur, District- Vaishali

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alok Kumar Sinha, Sr.Adv

For the Respondent/s : Mr. Bhola Kumar, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE JUSTICE RAJEEV RANJAN PRASAD)

Date: 19-06-2018

This Letters Patent Appeal has been preferred for setting-aside the order dated 02.05.2014 passed in Civil Writ Jurisdiction Case No.8626 of 2013 by which the learned writ Court has been pleased to dismiss the writ application and upheld to the concurrent findings given by the respondent authorities as reasons for removal of the petitioners as Anganbari Sevika and Anganbari Sahayika respectively.

2. We have gone through the order as contained in Memo No.641 dated 21.04.2011 (Annexure-3) passed by the District Programme Officer and the order passed by the District Magistrate, Vaishali, in Case No.R-03/2011-12. The appeal preferred by the petitioner against the order of the District Magistrate,



Vaishali, before the Commissioner, Tirhut Division, Muzaffarpur, was also rejected vide order dated 18.02.2013 (Annexure-5 to the writ application).

3. There is a concurrent finding of facts that in course of inspection by the team of the Directorate of Integrated Child Development Services (I.C.D.S), Bihar, Patna, the Anganbari center in question was found closed. The petitioners who were working as Anganbari Sevika and Anganbari Sahayika were absent and reached at the center only after half an hour when they were informed about the visit of the inspection team. The inspection team found that the take home ration was not being distributed at the center and the local beneficiaries informed the team that they were not getting the mill as per the scheme.

4. In the given facts and circumstances and in view of the concurrent finding of fact, the learned writ Court has not interfered with the order of removal of the petitioners, we do not find any reason to take a different view of the matter.

5. The Letters Patent Appeal has no merit. It is, accordingly, dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha

AFR/NAFR	N/A
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