

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6538 of 2019

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Nisha Kumari, Wife of Pintu Kumar R/o Village Bari Pali, Ward No. 7, P.S.-
Narhat, District-Nawada

... .. Petitioner/s

Versus

1. The State Of Bihar through the Director, I.C.D.S., Social Welfare Department, Bihar, Patna
2. The Deputy Director I.C.D.S., Social Welfare Department, Bihar, Patna
3. The Deputy Commissioner I.C.D.S. Social Welfare Department, Gaya
4. The District Magistrate Nawada
5. The District Programme Officer Nawada
6. The C.D.P.O. Narhat Nawada
7. The Mukhiya Gram Panchayat Raj, Palikhard, namely Sunil Kumar Nirala, S/o Prayag Yadav, Resident of Vill-Deowra Beldari, P.S.-Sitamadhi, District-Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the Respondent/s : Ms. Kumari Amrita (GP-3)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 02-05-2019

Heard the learned counsel for the parties.

2. The appointment of the petitioner on the post of Aanganwari Sevika at the concerned centre was set aside by the District Programme Officer, Nawada, which order was affirmed by the Collector in appeal preferred by the petitioner. The reason for termination of appointment of the petitioner is the fact that her mother-in-law is a Ward Councillor. Before the District Programme Officer, as



also before the Collector, Nawadah the stand of the petitioner was that prior to her appointment/engagement on the post of Aanganwari Sevika, her mother-in-law had resigned from the post of Ward Councillor, which resignation letter was sent to the Mukhiya of the concerned Panchayat.

3. The records reveal that the appointment of the petitioner had taken place on 18.02.2014 whereas the resignation of the mother-in-law of the petitioner is also of the same date i.e. 18.02.2014. The resignation, therefore, only appears to be for the purpose of getting the appointment of the petitioner validated. Allowing the petitioner to continue on the post therefore would surely be a breach of the condition laid down for the appointment of Aanganwari Sevikas.

4. No fault can be found either with the order passed by the District Programme Officer or the District Magistrate, Nawada.



5. However if a fresh appointment process is initiated and the petitioner, in the event of her mother-in-law not being Ward Councillor, applies for the same she may be considered for being engaged as Aanganwari Sevika, subject to her eligibility otherwise.

6. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.05.2019
Transmission Date	

