

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3118 of 2016**

Indrawati Devi Wife of Shri Chandrashekhar Thakur resident of village -  
Tejpurwa, Police Station - Malahi, District - East Champaran Motihari

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Social Welfare Department,  
Government of Bihar, Patna.
2. The Director, I.C.D.S., Social Welfare Department, Govt. of Bihar, Patna
3. The Divisional Commissioner, Tirhut Division at Muzaffarpur
4. The Deputy Director, Welfare, Tirhut Division at Muzaffarpur
5. The District Magistrate, East Champaran at Motihari
6. The District Programme officer, East Champaran at Motihari
7. The Child Development Project officer, Paharpur, District - East Champaran

... .. Respondent/s

**Appearance :**

|                      |   |                                                              |
|----------------------|---|--------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Sanchay Srivastava, Advocate<br>Mr. Binay Kumar, Advocate |
| For the Respondent/s | : | Mr.Rakesh Kr. Roy AC to GA 5                                 |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL JUDGMENT**

**Date : 04-04-2019**

Short issue raised by the petitioner's counsel is that on account of absence from the Anganwari Center on one day i.e., on 17.07.2013, her selection as Anganwari Sevika has been canceled by the authorities by way of punishment for absence on one day. Such punishment as per order of this Court passed in CWJC No. 308 of 2015 has already been held to be disproportionate and excessive to the allegation. This Court has concluded the legal position by holding that absence from the Anganwari Center for one day cannot be the basis for visiting the Anganwari Sevika with a severe punishment of dismissal.



The issue stands settled in view of the order passed in CWJC No. 308 of 2015. The respondent authorities therefore, should pass an appropriate punishment in accordance with law. The petitioner's claim should be considered for reinstatement to the center in question if there is no other legal impediment in grant of the said benefit to the petitioner, in light of the legal position.

Writ petition is disposed off.

**(Madhuresh Prasad, J)**

Prakash/-

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