

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11943 of 2014

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Anju Devi W/o Sri Anil Kumar Chaudhary Resident of Village Dariyarpur,
P.S.- Pipra, District- Patna **... Petitioner**

Versus

1. The State Of Bihar through the Principal Secretary, Social Welfare Department, Patna
2. The Director I.C.D.S. of Social Welfare Department, Govt. of Bihar.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Patna.
5. The District Programme Officer, Patna.
6. The Child Development Project Officer, Punpun, District- Patna

... Respondents

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Appearance :

For the Petitioner : Mr. Kamlesh Kumar Sharma, Advocate
For the State : Mr. Manish Kumar, AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner as well as

learned counsel for the State.

On account of deficiency in running the Center due to petitioner's absence at the time of inspection, her selection as Anganbari Sevika at Center No. 43, Dihari Mushari under Gram Panchayat Kalyanpur, has been cancelled.

Petitioner has raised certain pleas before the authorities that the allegation regarding non-disbursement of the Take Home Ration (THR) was false and that she was absent in between 15.3.2012 up till 21.3.2012 on account of her illness and her being engaged in Puls Polio drive. Plea has been raised by the petitioner before the authorities including the Court of Divisional Commissioner, Patna in Misc. Appeal No. 127 of 2013.

The Divisional Commissioner has taken note of the submission that the petitioner has not produced any material to



show that actually the THR was being distributed as per her assertion before the Appellate Authority. She has also not placed anything on record to show that she was engaged in Pulse Polio drive for the period she claims to be absent from the Center in question. Another issue which has been considered by the Appellate Authority is that though the food grain was lifted by the petitioner on 20.2.2012, but the same was not entered in the Stock Register.

Said finding of the Divisional Commissioner is after due consideration of the appeal filed by the petitioner and in view of the fact that the petitioner has not submitted any proof in support of her assertion made before the Divisional Commissioner in appeal. Since the said findings of the fact are in accordance with the procedure and after giving due opportunity to the petitioner, this Court does not find any reason to interfere with the impugned orders.

The writ petition is therefore dismissed being devoid of merit.

(Madhuresh Prasad, J)

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