

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14008 of 2014

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Minta Devi wife of Mantu Kumar resident of village - Chackjohra, P.S.
Dhanarua, District - Patna

... .. Petitioner

Versus

1. The State Of Bihar
2. The Director, ICDS Patna Bihar, Social Weal Fear
3. The Deputy Director, Welfare, Patna Division, Patna
4. The District Programme Officer, Patna
5. The Child Development Officer, Dhanarua, Patna

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Shailendra Singh
Mr. Upendra Prasad Singh
For the Respondent/s : Mr. Sunil Kumar, AC to GP 11

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-08-2019 The petitioner was an Anganwari Sevika working at Center Chakchohra, under Dhanarua block in the district of Patna. The center in question was inspected on 13.9.2012, the petitioner was found absent and the center was found closed. On account of absence for one day the petitioner has been visited with sever consequence of cancelling her selection as Anganwari Sevika.

In the case of Savita Kumari Vs. State of Bihar in CWJC No. 308 of 2015 this Court has already held that visiting the petitioner with such sever consequence on account of one day absence *per se* is not sustainable.



In the circumstances, the matter is remanded to the appellate authority, the Commissioner Patna Division, to reexamine petitioner's claim in light of the decision of this Court in the case of Savita Kumari Vs. State of Bihar (supra). This Court would observe that the order dated 8.2.2014 issued by the Deputy Director, Welfare, shall not stand in the way of such consideration and if in the meantime selection has been made for the center in question the Commissioner would afford opportunity to the selected candidate, otherwise the proceeding should conclude as per law expeditiously without any undue delay.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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