

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15305 of 2013

Smt. Sima Devi, Wife of Sri Rajesh Kumar, resident of Village - Alipur, P.O. Bhakhari, P.S. Dhanarua, District-Patna, the then Anganbadi Sevika of Centre Code No.79, Nadpura Panchayat, under Child Development Project Office Dhanarua, District - Patna

... .. Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Bihar, Patna.
2. The Director, Social Welfare Department, Govt. of Bihar, Patna
3. The District Magistrate, Patna.
4. The District Programme Officer, Patna.
5. The Child Development Project Officer, Dhanarua, Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh, Advocate
For the Respondent/s : Mr. Prabhakar Jha, G.P.-27
Mr. Mukund Mohan Jha, A.C. to G.P.-27.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 20-06-2019

Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is challenging order dated 03.05.2013 passed by the District Magistrate, Patna, whereby and whereunder he has dismissed the appeal filed by the petitioner and affirmed the order passed by the District Programme Officer, by which the engagement of the petitioner as Anganbari Sevika has been dispensed with.



A surprise inspection was made on 22.03.2012 by the Child Development Project Officer, Dhanarua, and it was found that *Halwa* was of sub-standard, at that time, the beneficiaries have come forward and orally stated the petitioner used to distribute less quantity of rice and *Dal*. As per the guidelines, 6 Kg. rice and 3 Kg, *Dal* were to be distributed to each beneficiaries, but in stead less than half quantity of food-grain was being given to the beneficiaries. During the proceeding, the petitioner before the District Magistrate has orally accepted the charges and tendered her unconditional apology. The explanation offered by the petitioner was not accepted by the District Programme Officer, accordingly, punishment was inflicted and the same has been affirmed by the appellate authority.

Learned counsel for the petitioner has placed reliance on Annexure-5 and submitted that the chart bears the signature of beneficiaries, it is very easy to obtain the signature and thumb impression of any beneficiary under the coercion. However, when the beneficiaries has come forward, orally stated about the short supply of food-grains and that too the petitioner has accepted this fact during the proceeding, in such circumstances, Annexure-5 has no relevance at all to give any



succor to the petitioner.

In such view of the matter, this Court does not find any merit in this writ petition, accordingly, the same is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	22.06.2019
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