

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17183 of 2013

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Rita Kumari W/O Sri Ajay Kumar Resident Of Mohalla- Bari Sangat, Nand Gola, P.O- Patna City, P.S- Malsalami, District- Patna.

... .. Petitioner

Versus

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

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Mohan Kumar Singh
For the Respondent/s : Mr.Anjani Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-08-2019 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State.

The petitioner was Anganwari Sevika for the center in question. The center was inspected on 1.6.2012, when no children were present and certain other irregularities were found, which is evident from the visitors book (Annexure 6) of the writ petition.

Counsel for the petitioner submits that since 2009 there was no Sevika at the center in question. Since the Ward Councilor had directed all concerned to participate in preparation of smart card for BPL members, she distributed



poshahar at 10.30 AM and after doing that she had gone away to help in preparation of BPL card. Petitioner's Counsel submits that in the process of preparation of *poshahar* on that day petitioner had also sustained some fire injury.

The reasons for absence of any children at the center are unsustainable. The petitioner was required to ensure that the center in question was open till 12.30 at least and that *poshahar* was distributed on time. The grounds raised to justify absence of children at the center regarding helping in preparation of BPL card is unsustainable. Petitioner's prime duty was towards functioning of the center and implementation of social welfare objectives for the children and pregnant women of the locality. She cannot justify her lapses by doing some other work at the dictate of Ward Councilor that too at the hours which she was obliged to dedicate to the children and pregnant women of the locality.

In the circumstances, this Court does not find any reason to interfere with the order whereby petitioner's claim for setting aside the order cancelling her selection has been rejected.

The writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

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