

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2215 of 2015

In

Civil Writ Jurisdiction Case No.2925 of 2015

Indu Devi Wife of Sri Birendra Singh Resident of Bichhiyawan P.S. Dinara
District - Rohtas, Sasaram.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dy. Director Welfare, Patna Pramandal, Patna, Commissioner's Compound,
Patna West Gandhi Maidan Patna
3. District Magistrate, Rohtas, Sasaram.
4. District Programe Officer, Rohtas, Sasaram.
5. Child Development Officer, Dinara, Rohtas.
6. Mukhiya Gram Panchayat Ganj Bhadasara Prakhand Dinara District Rohtas,
Sasaram.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shiopujan Singh, Adv.
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 01-07-2019

Heard Mr. Shiopujan Singh, learned counsel for the
appellant-writ petitioner. There is no representation on behalf of
the State.

It is feeling aggrieved by the judgment and order dated
20.02.2015 passed by the learned Single Judge of this Court in
C.W.J.C. No.2925 of 2015 whereby the writ petition has been



dismissed that the writ petitioner is before this Court.

The issue relates to disengagement of the petitioner-appellant from the post of Anganbari Sevika inter alia on grounds of irregularities having been noticed in the functioning of the Center. Mr. Singh learned counsel for the appellant- writ petitioner attempts to question the charge of irregularity on its merits but the pleadings on record does confirm that it is owing to some allegation as regarding functioning of the center that an inspection took place and after show cause being served on the petitioner- appellant on 30.12.2011 that she was disengaged from her post of Anganbari Sevika by order dated 28.04.2012 and which order has been affirmed by the appellate authority when the Anganbari Appeal No. 32 of 2012 was dismissed on 26.4.2014.

These orders have also been affirmed by the learned Single Judge to dismiss the writ petition and considering that the removal is founded on a determination of an issue of fact as regarding the irregularities occurring in the Centre, we are not persuaded to interfere with the opinion expressed by the learned Single Judge but while observing thus we would allow liberty to the appellant-writ petitioner to participate in any selection



process for filling up of the post in question in case she otherwise fulfills the eligibility criteria and the same has not yet taken place.

The appeal stands disposed of

(Jyoti Saran, J)

(Partha Sarthy, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
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