

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1504 of 2017

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Lalmuni Kumari, wife of Rajendra Prasad, resident of village-Gaderiya
Bigha, Islampur, P.O. + P.S. Islampur, District-Nalanda at Biharsharif

... .. Appellant

Versus

1. The State of Bihar
2. The Commissioner/Secretary, Social Welfare Department, Bihar, Patna
3. The Director (I.C.D.S.), Social Welfare Department, Govt. of Bihar, Patna
4. The Deputy Director, Welfare, Patna Division, Patna
5. The District Magistrate, Nalanda at Biharsharif.
6. The District Programme Officer, Nalanda, Biharsharif.
7. The Child Development Project Officer, Islampur, Nalanda

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Upendra Prasad Singh, Adv.
For the Respondent/s : Mr.AC to AAG-6

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

4 04-07-2019 Heard Sri Upendra Prasad Singh, learned counsel for

the appellant and learned AC to Addl. Advocate General no.6.

The present appeal has been filed against the order dated 24.07.2017 passed in C.W.J.C.No.2129 of 2014. By the said order, the learned Single Judge has preferred not to interfere with either of the orders. The respondent/ Deputy Director, Welfare, Patna Division, Patna has approved the order passed by the District Programme Officer, whereby the service of the appellant as Anganwari Sevika was terminated on the ground that in the inspection of Anganwari Centre of the



appellant made by the Child Development Project Officer, no child was found present at the Centre. On perusal of the order of the writ court, it is evident that on earlier occasion also, Anganwari Centre of the appellant was inspected and service of the appellant was not found satisfactory.

Learned counsel for the appellant tried to persuade the Court that inspection report was not placed as per direction issued by the Directorate vide letter no.956 dated 14.03.2012. He further submits that at the time of inspection, nutritious food (*posaaahar*) was also prepared, which suggests that there were presence of children in the Anganwari Centre.

However, on examination of the order passed by the learned Single Judge, it is evident that at the time of inspection, no child was present, whereas in the Attendance Register, presence of 39 children were shown. Besides this, removal of the appellant was approved by the appellate authority and confirmed by the writ court. Accordingly, there is no reason to interfere with the impugned order.

Letters Patent Appeal stands dismissed.

(Rakesh Kumar, J.)

(Anjani Kumar Sharan, J.)

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