

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.1263 of 2018**

**In**

**Civil Writ Jurisdiction Case No.3925 of 2015**

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Sunita Kumari W/o Siya Saran Mahto, R/o Village- Marandeo , P.O.- Raudha,  
P.S.- Jalley, District- Darbhanga.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Commissioner, Darbhanga.
3. The District Magistrate, Darbhanga.
4. The Deputy Director Welfare Darbhanga Division, Darbhanga.
5. The District Programme Officer, Darbhanga.
6. Child Development Programme Officer, Jalley, Darbhanga.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Manish Kumar No 13

For the Respondent/s : Mr.Gyan Prakash Ojha -Ga7

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**and**

**HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**

**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)**

6      19-02-2020                      Heard counsel for the appellant and counsel for the  
State.

In the present case, the appellant was appointed as  
Aaganbari Sevika in Centre No. 95, Jalley North in the District  
of Darbhanga.

A complaint was received by the Child Development  
Programme Officer and District Programme Officer that the



appellant was not running the Anganwari center properly whereafter inspection was made, found that appellant was absent inasmuch as the persons of the locality have complained that for last 1 ½ years, she was not preparing the mid day meal in the proper manner and after that she was served a show cause notice. She has filed explanation inasmuch as she was given personal hearing in presence of representative of the State whereafter the findings has been recorded about her wrong act and not running centre properly.

Counsel for the appellant has tried to show that the authorities have not properly followed the procedure in holding enquiry. The appellant is Anganwari Sevika not holding a civil post. The provision of Section 311 does not apply. It is to be ensured that fair treatment should be given, as in the present case principle of natural justice has been followed by which the appellant has been given opportunity to defend her case but she has failed to show that he had run the center properly and after that order has been passed.

We do not find any error in dispensing with the engagement of the appellant as Aaganbari Sevika. Accordingly, the same is dismissed.

Re. I.A. No. 02 of 2020



There is no proper explanation given for delay in  
filing the present appeal.

Accordingly, the I.A. No. 02 of 2020 is dismissed.

**(Shivaji Pandey, J)**

**( Anjani Kumar Sharan, J)**

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