

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7114 of 2021

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Mina Devi @ Mina Kumari Wife of Santosh Singh Resident of Village-Purvi Harsar, P.O.-PaschimiHarsar, P.S.and Prakhand- Daraunda, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Socila Welfare Department, Bihar, Patna.
2. The Director the Integrated Child Development Service (ICDS) Indira Bhawan, West Boring Canal Road, Sri Krishnapuri Patna-800001.
3. The District Magistrate-Cum-Collector, Siwan.
4. The District Programme Officer, Siwan.
5. The Child Development Project officer, Daraunda, District-Siwan.
6. The Anganbari Supervisor, Smt. Chinta Devi, Daraunda, District-Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 09-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accept notice for respondents.

3. Petitioner's counsel to serve copy of the petition to the State counsel.

4. In the instant petition, petitioner has prayed for following reliefs:

“1. That this is an application for issuance of appropriate writ/ writs/ direction/ directions/ order/ orders commanding the respondents to pay her the amount of ‘Honorarium’ with interest since the date of Joining on 22.05.2018 to till



now, on the post of Anganbari Sahayika, and also prayer for direction to respondents to allow the petitioner to make attendance with signature on Attendance register and also prayer for direction to respondents to take work from the petitioner with honour and dignity.

As the petitioner was selected on the post of Anganbari Sahayika by Social Welfare Development Bihar Patna by Letter dated 29.11.2017 for Anganbari Centre at ward no. - 03, Purvi Harsar, P.S.-Daraunda, District- Siwan, thereafter she was sent for training and joined on 22.05.2018, but without any stating reason, without any letter, without any mode of communication the ladies supervisor, Chinta Devi, prohibited her to make attendance on Attendance Register since 02.08.2019, and honorarium have also not been paid to her, which is seriously violation of the principle natural justice as committed by the respondents.”

5. Aforesaid relief is supported by representation dated 20.12.2019 and 06.03.2020 (Annexure- 3 and 4).

6. Therefore, the concerned respondent is hereby directed to calculate the arrears of honorarium and pay along with interest @ 8% per annum in the light of Apex Court’s decision in the case of *Vijay L. Mehrotra Vs. State of U.P. & Ors.* reported in *(2001) 9 Supreme Court Cases 687* (Para 2 to 4). If petitioner is otherwise not eligible, in that event, speaking order shall be passed as to why petitioner is not entitled to arrears of honorarium and continue to pay honorarium along with interest. The above exercise shall be completed within a period of one month from the



date of receipt of this order, failing which petitioner is entitled to litigation cost and it is quantified @ Rs. 25,000/-. The cost shall be paid by the District Programme Officer, Siwan from his/her pocket and not from the Government fund.

7. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

