

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8672 of 2019

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Anita Devi Wife of Sri Upendra ram Resident of Deokulia, Post Office-
Depkulia, Police Station-Phenhara, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Social Welfare Department , Bihar Patna
3. The Commissioner, Tirhut Division, Muzaffarpur, Bihar.
4. The District Magistrate, East Champaran, Bihar.
5. The District Program Officer, I.C.D.S., East Champaran, Bihar.
6. The Child Development Project Officer, Phenhara Block East Champaran, Bihar.
7. The Lady Supervisor, Phenhara, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.
For the State : Mr. Prashant Pratap (GP-2)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 04-09-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for setting
aside the Appellate order dated 16.11.2018 passed by the
District Magistrate, East Champaran, Bihar in Anganwadi Case
No.34/15 (annexed as Annexure-5) as well as the order dated
05.07.2014 passed by the District Program Officer, I.C.D.S.,
East Champaran, Bihar in Anganwadi Case No.177/14-15
contained in Memo No.1079 dated 10.07.2014 (annexed as
Annexure-3) by which the services of the petitioner on the post



of *Anganwadi Sahayika* was terminated.

3. Learned counsel for the petitioner submits that from the orders passed by the DPO, East Champaran, Bihar as well as the order passed by the District Magistrate, East Champaran, Bihar, it become crystal clear that the deficiency has been found from the side of the *Sevika* and the work of *Sahayika* is completely dependable upon the *Sevika*. Since, *Sevika* was not present and it is due to this reason, it is impossible for *Sahayika* to complete the work. Counsel submits that the petitioner has no role in opening of the *Anganwadi kendra* or distribution of Take Home Ration (THR).

4. Learned counsel for the State on the other hand submits that it has been accepted by the petitioner herself that the only mistake done on her part is that even in the absence of *Sevika*, she has not communicated anything in written to the officials. Counsel further submits that this matter has already been duly stated in the order sheet that the petitioner has not work according to her responsibility by way of not communicating to the officials about the absence of *Sevika*. And as such, for a considerable period of time, center was closed.

5. In the light of the submissions made, this Court upon going through the orders passed by the DPO, East



Champaran, Bihar (annexed as Annexure-3) as well as the order passed by the District Magistrate, East Champaran, Bihar (annexed as Annexure-5), it transpires that the center could not be opened for months and months and due to which, action has been taken by the officials.

6. In this view of the matter, there is not a single document on the basis of which petitioner is in a position to show that she ever communicated to the officials about non-appearance of the *Sevika*, rather, she completely enjoy the same position. Therefore, this Court is not inclined to interfere in the order passed by the DPO, East Champaran, Bihar and the order passed by the District Magistrate, East Champaran, Bihar and hence, the present writ petition stands dismissed.

(Dr. Anshuman, J)

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