

GAHC010018732020



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/822/2020

PABITRA NATH

S/O- PUSHPA NATH, R/O- VILL- DHOLAI NAGAR, RUPACHERRA ROAD, P.O-
RUPACHERRA ROAD, P.O- RUPACHERRA, DIST- HAILAKANDI, ASSAM,
PIN- 788101

VERSUS

THE STATE OF ASSAM AND 4 ORS

REP. BY ITS COMMISSIONER AND SECRETARY, SOCIAL WELFARE DEPTT,
GOVT OF ASSAM, DISPUR, GUWAHATI- 06

2:THE DIRECTOR OF SOCIAL WELFARE

ASSAM

UZAN BAZAR

GHY- 01

3:DISTRICT SOCIAL WELFARE OFFICER

HAILAKANDI

P.O- SILCHAR

DIST- CACHAR

ASSAM

4:THE CHILD DEVELOPMENT PROJECT OFFICER

KATLICHERRA ICDS PROJECT

HAILAKANDI

DIST- HAILAKANDI

ASSAM

5:SUKLA ROY

D/O- KIRAN ROY

R/O- VILL- DHOLAI NAGAR

RUPACHERRA ROAD
P.O- RUPACHERRA
DIST- HAILAKANDI
ASSAM
PIN

Advocate for the Petitioner : Ms. S. Dad Gupta, Advocate

Advocate for the Respondents : Ms. S. Baruah, Govt. Advocate

BEFORE

HONOURABLE MR. JUSTICE DEVASHIS BARUAH

Date of Hearing : 23.08.2023

Date of Judgment : 23.08.2023

JUDGMENT AND ORDER (ORAL)

The instant writ petition was filed by the petitioner who is the resident of one Anganwadi Centre No.157 under Katlicherra ICDS Project, Hailakandi seeking a direction upon the respondents to ensure opening/functioning of the Anganwadi Centre and to serve food regularly to the enrolled children of the Anganwadi Centre as well as to enquire about the misappropriation by the respondent No.5.

2. This Court had issued notice on 28.02.2022. Vide the said order, this Court further directed the respondent No.3, i.e. the District Social Welfare Officer, Hailakandi as well as the respondent No.4, i.e. the Child Development Project Officer, Katlicherra ICDS Project, Hailakandi to place the relevant enquiry report regarding the allegation lodged by the petitioner against the respondent No.5.

3. Mrs. S. Baruah, the learned counsel appearing on behalf of the respondent Nos.1, 2, 3 & 4 has placed before this Court an enquiry report submitted by the Supervisor, Sector No.10, Katlicherra ICDS Project, Hailakandi to the Child Development Project Officer wherein it has been mentioned that she met the guardians of the children and the beneficiaries who were available during the enquiry and AWC Managing Committee and Public Representative (A.P. Member) of the locality and enquired about the performance

of the respondent No.5. During the enquiry, it was found that the respondent No.5 was performing her duties, role and responsibilities as Anganwadi Worker very sincerely and fairly after her engagement to till date. It was also found that there was no complaint against her functioning as Anganwadi Worker and all the available guardians of children and local public and also the Anchalik Panchayat (A.P. Member) of that area were satisfied with the work of the respondent No.5. Certain photographs have also been enclosed to the said enquiry report showing that the guardians of the children along with the wife of the petitioner were receiving benefits allotted by the Government. It was further mentioned that one Swapan Kumar Das had filed the complaint earlier before the Deputy Commissioner, Hailakandi against the respondent No.5 and in respect of that complaint, the concerned AWCMC and the local Public had submitted a petition before the CDPO, Katlicherra ICDS Project that the said Swapan Kumar Das falsely filed the complaint against the respondent No.5 and also AWCMC stated in their petition that Swapan Kr. Das always disturbs and threatens the respondent No.5. It was also mentioned in the report that the said Swapan Kumar Das along with the petitioner are collusively filing complaint against the respondent No.5 due to previous enmity.

4. Taking into account the said report, this Court finds no reason for issuance of a writ in the instant case for which the instant writ petition stands dismissed.
5. The report so submitted by Mrs. S. Baruah is kept on record and marked with the letter "X".
6. The petitioner would be at liberty to take certified copies of the documents marked with the letter "X".

JUDGE

Comparing Assistant