

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25237 of 2013

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Bigyani Bharti, W/O Subhash Kumar Mandal, Resident Of Village-
Machhaha, Ward No. 2, Police Station- Shankarpur, District- Madhepura

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department, Patna.
2. The Director, Samekit Child Development Project, Bihar, Patna
3. The District Magistrate, Madhepura.
4. The Block Development Officer, Kumarkhand, District- Madhepura.
5. The Child Development Project Officer, Kumarkhand, District- Madhepura.
6. Panchayat Sachiv, Gram Panchayat, Rauta, District- Madhepura.
7. Gita Devi W/o Chhedi Yadav, Resident Of Village- Machhaha, Police Station- Shankarpur, District- Madhepura.

.... Respondents

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Appearance :

For the Petitioner : Mr. Uday Chand Prasad, Advocate
Mr. Manoj Kumar, Advocate
For the Respondents : Mr. Binay Kr. Pandey (AC to GA2)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 23-08-2016 Heard Mr. Uday Chand Prasad, the counsel for the
petitioner and Binay Kumar Pandey, AC to GA-2, for the State.

Petitioner is an Anganwari Sevika of the centre
Machhaha, whereas respondent no.7 is the Anganwari Sahayika of
the said Anganwari Centre No.68 in Rauta Panchayat of
Madhepura. Grievance is that the respondent no.7 is illegally
constructing a building of the centre as per her convenience
ignoring the guidelines issued in this regard by the State
Government as contained in Annexure-1. Diverse representations

filed in this regard, have not brought result save and except a report submitted by the Child Development Project Officer to the District Programme Officer and hence the writ petition.

Where the building of the Anganwari Centre shall be constructed, is purely administrative decision. However, the State-respondent in doing is required to follow a principle. The contention of the petitioner is that such principle was laid down in the communication at Annexure-1.

On perusal of the writ petition, it appears that the matter has been reported by the Child Development Project Officer to the respondent- District Programme Officer. In my view, the ends of justice shall be subserved if the petitioner is permitted to agitate the grievance before the respondent-District Programme Officer, who shall examine the same and take appropriate decision and/or pass appropriate order in accordance with law on the said representation without much delay, preferably within four weeks of such filing of the representation.

The writ application is accordingly disposed of.

(Kishore Kumar Mandal, J)

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