

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4354 of 2016

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1. Mahendra Mahto, son of Late Narayan Mahto
 2. Rajeev Kumar son of Late Kailas Matho
 3. Jai Prakash Singh son of Late Naseeb Lal Singh
 4. Suresh Prasad Sharma son of Late Devidin Mistri
 5. Bujhawan Singh son of Bhuwan Singh
 6. Surendra Prasad son of Sita Ram Saw
 7. Mulendra Kumar, son of Late Chamru Singh
 8. Pawan Kumar, son of Jamuna Prasad
 9. Kishore Bhagat son of Late Ramanand Bhagat, All resident of Village- Hardas Bigha, P.O.- Baikatpur, Police Station- Khusrupur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Director, Directorate of Integrated Child Development Scheme, Government of Bihar, Patna.
2. Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. Principal Secretary, Department of Vigilance, Government of Bihar, Patna.
4. District Magistrate, Patna.
5. District Panchayat Raj Officer, Patna.
6. Block Development Officer, Khusrupur, District- Patna.
7. Circle Officer, Khusrupur Anchal, District- Patna.
8. Child Development Project Officer, Khusrupur, District- Patna.
9. Block Panchayat Officer, Khusrupur, District- Patna.
10. Panchayat Secretary, Khusrupur Panchayat, Block Khusrupur, District- Patna.
11. Mukhia, Khusrupur Panchayat, Prakhanda Khusrupur, District- Patna.
12. Indu Kumari, wife of Randhir Kumar, resident of Village- Hardasbigha, P.O.- Baikatpur, Police Station- Khusrupur, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Pankaj Kumar Sinha, Advocate
Mr. Om Prakash, Advocate

For the State : Mr. Sunil Kumar, AC to GA-12

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 03-02-2017

The petitioners have filed the present writ application in public interest to seek removal of respondent No.12 from the post of Anganbari Sevika.

2. The additional grievance of the petitioners during the course of hearing of the application is that mid-day meal is not



distributed properly in the Anganbari Centres, therefore, this Court should intervene for ensuring proper distribution of the mid-day meal.

3. The public interest litigation has been filed to seek removal of Anganbari Sevika, thus, it is a public interest litigation in the service matter. In view of the judgment of this court reported as C.W.J.C. No.21601 of 2014 (Samrendra Kumar Sudhansu vs. The State of Bihar & ors.), considering the Supreme Court’s judgments, such petition is not maintainable.

4. In respect of the relief that mid-day meal is not being distributed properly, it is for the Department authorities to ensure proper implementation of the scheme. This Court, in exercise of its power of judicial review, cannot oversee the implementation of various schemes made by the State Government.

5. In view thereof, we do not find any merit in the writ application. The same is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2017
Transmission Date	NA

