

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9178 of 2018

=====

Md. Asif Iqbal, S/o Md. Nasib Alam, R/o vill. and P.O.- Barhara, Ward No. 03, P.S. Nauhatta, Dist.- Saharsa.

... .. Petitioner

Versus

1. The State of Bihar through Principle Secretary Social Welfare Department, Government of Bihar, Patna.
2. The District Magistrate, Saharsa.
3. The District Programme Officer, (I.C.D.S.) Saharsa.
4. The Child Development Programme Officer, Nauhatta.
5. Lady Supervisor, Aanganbari Centre of Gram Panchayat, Darhar, P.S.- Nauhatta, Dist.- Saharsa.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Raj Nandan Prasad, Adv.
For the Respondent/s	:	Mr. S.K. Mandal, SC-3
		Ms. Neelam Kumari, AC to SC-03

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 28-08-2018

Heard Mr. Raj Nandan Prasad, learned counsel for the petitioner and Ms. Neelam Kumari, learned AC to SC-03 for the respondent-State.

Since the writ application was registered on 08.05.2018, and in view of the nature of order this Court intends to pass, this Court is not inclined to adjourn the matter for filing of counter affidavit.

The present writ application has been filed for a direction to the respondent authorities, particularly, Respondent No.2, the District Magistrate, Saharsa and Respondent No.3, the District Programme Officer, I.C.D.S., Saharsa to dispose of the



representation dated 12.04.2018 and 21.04.2018 as contained in Annexures 2 and 6, respectively, submitted by the petitioner for establishment of Aanganwari Centre in Ward No.3, Gram Panchayat-Darhar, Circle, P.S.-Nauhatta, District-Saharsa. The prayer as stipulated in paragraph no.1 of the petition, reads as under :-

“1. That this application is being filed for issuance of appropriate writ, order/orders directing the respondents particularly respondent No.2 and 3 to dispose of the representation dated 12.04.2018 and 21.04.2018 filed by petitioner for Creation of Anganbari Centre at Ward No.3 of Gram Panchayat Darhar, village Barhara, Block and P.S. Nauhatta within district Saharsa directing the respondents to Create Anganbari Centre for the aforesaid Ward No.3 as there are 13 wards in the aforesaid Gram Panchayat Darhar and in Wards No. 1, 2, 4, 5, 6, 8, 10, 11, 12 and 13 of the said Gram Panchayat Anganbari Centres are running and with respect to Ward No.7 and 9 Anganbari Centre has been created on 10.04.2018 except Ward no.3 although there are 2256 population 552 voters in the aforesaid ward and most educated Wards of the said Gram Panchayat.”

Learned counsel for the petitioner submits that Darhar Gram Panchayat consists of 13 wards, wherein, Aanganwari Centres under the Integrated Child Development Scheme are not running in Ward Nos. 3, 7 and 9. For Ward Nos. 7 and 9, the centres have been established and further on 13.03.2018 a proper advertisement was published for selection of Aanganwari Sevika



and Sahayika for the said wards. It is further submitted that Ward No.3 is having population of 2256 out of which 552 are voters, but Aanganwari Centre has not been created till date despite the fact that the petitioner submitted the representations before the Respondent No.2, the District Magistrate, Saharsa on 12.04.2018 and 21.04.2018, as contained in Annexures 2 and 6 respectively, but no action has been taken till date. Hence, the present writ application.

Learned AC to SC-3 submits that, at present, she is not having any instruction, whether the representations of the petitioner has been disposed of or any action on the representation of the petitioner has been taken or not. However, she further submits that if the petitioner has submitted any representation with respect to his grievance and the same is pending till date, it will be disposed of within a reasonable time frame.

In the circumstances, in view of the nature of prayer made in the writ application, it is expected from Respondent No.2, the District Magistrate, Saharsa and Respondent No.3, the District Programme Officer, I.C.D.S., Saharsa to dispose of the representations of the petitioner submitted on 12.04.2018 and 21.04.2018, as contained in Annexures- 2 and 6 within a period of



four weeks, after receipt/production of a copy of this order, in accordance with law.

It is made clear that this Court has not expressed any opinion with regard to the merit of the case as well as the claim of the petitioner for establishing Aanganwari Centre.

Accordingly, the present writ application stands disposed of with the observation aforementioned.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

