

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7818 of 2019**

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Md. Zaharuddin @ Md. Zahrudin, aged about 26 years, son of Md. Salim,  
Resident of Village- Mathiya, P.O. Keshariya, P.S. Keshariya, District- East  
Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari, District- East Champaran at Motihari.
3. The District Welfare Officer, East Champaran at Motihari, District- East Champaran at Motihari.
4. The District Programme Officer, East Champaran at Motihari, District- East Champaran at Motihari.
5. The Block Development Officer, Keshariya, District- East Champaran at Motihari.
6. The Child Development Project Officer, Keshariya, District- East Champaran at Motihari.
7. Sarita Kushwaha, son of not known to the petitioner, Resident of Village- Mathiya, P.O. Keshariya, P.S. Keshariya, District- East Champaran at Motihari, presently working as Aanganwari Sevika, Aanganwari Centre No. 138, Ward No. 7, Gram Panchayat Raj, Mathiya, Block- Keshariya, District- East Champaran at Motihari.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. S. B. K. Manglam, Advocate                                     |
| For the State        | : | Mr. Gyan Prakash Ojha, GA 7 with<br>Mr. Abhishek Singh, AC to GA 7 |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 25-11-2019**

Heard learned counsel for the petitioner and learned AC  
to GA 7 for the State.

2. The petitioner has moved the Court for a direction to  
the authorities to shift the service of respondent no. 7 as



Anganwari Sevika to the centre operating in Ward No. 8 of Gram Panchayat Raj Mathiya in the district of East Champaran from Ward No. 7, where she has been posted.

3. Learned counsel for the petitioner submitted that the Scheme provide that Anganwari Sevika would be selected from persons who reside in the same Ward. It was further submitted that initially there was a common Ward 7 and, thus, the respondent no. 7 was selected but later on, when another fresh Ward, i.e., Ward No. 8 was created, as the home of the respondent no. 7 came under the geographical boundary of the newly created Ward No. 8, she was required to be shifted to Ward No. 8 and there ought to have been a fresh selection for Anganwari Sevika for Ward No. 7. It was further submitted that not doing so, the respondent no. 7 was retained in Ward No. 7, which is against the very spirit and provision of the Scheme. Learned counsel drew the attention of the Court to Annexure-3, which is representation filed by him and others before the CDPO, Keshariya, East Champaran (respondent no. 6) on 18.10.2017 which, according to him, is still pending. It was submitted that the same be directed to be disposed off.

4. Learned counsel for the State also submitted that the writ petition be disposed off directing the officer concerned to



dispose off the objection which, according to him is permissible under the Scheme.

5. In the aforesaid background, the writ petition stands disposed off directing the respondent no. 6 to dispose off the objection filed by the petitioner and others, copy of which is Annexure-3 to the present application, filed on 18.10.2017, if already not disposed off, expeditiously and latest within a period of one month from the date of production of a copy of this order before him.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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