

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.481 of 2015

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Mafi Jha Wife of Satyendra Kumar Jha Resident of Village-Khairi Banka,
Tole-Dulha (north), P.O.-Dulha, P.S.-Bisfi, District-Madhubani (Bihar).

... .. Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Director, Department of Social Welfare, Government of Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The District Programme Officer, Madhubani.
5. The Child Development Project Officer, Block-Bisfi, District-Madhubani.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Shashi Nath Jha, Advocate
For the Respondents : Mr.Amresh Kr.Sinha, AC to GA 1

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 08-01-2019 Heard learned counsel for the petitioner as well as

learned counsel for the State.

The writ petition has been filed for a direction to the respondent authorities to grant requisite fund and *Poshahar* in the Anganbari Center in question so as to make the Center functional. Admittedly, as per submission made in the writ petition the Center where the petitioner is said to be working as Anganbari Sevika, i.e., Center No. 109 in village Khairi Banka (North) under Block Bisfi, District Madhubani is not functional at least since 28.6.2010, i.e., when show cause was issued to the petitioner for the first time. Reply thereto shows that admittedly the Center is incapable of being run at the premises due to dispute of the petitioner with land lord of the premises in



question. The petitioner was served with the show cause calling upon her to respond to the show cause within three days. Show cause was served on 8.5.2013 wherein it was specifically mentioned that if she fails to give her response then appropriate steps would be taken for recovery of advance which has been earlier given to the petitioner for running the Center in question. Other than averments made in the writ petition, there is nothing on the record to show that the petitioner has submitted her response to the show cause dated 8.5.2013 (Annexure 6).

Learned counsel for the petitioner has drawn attention of the Court to averment made in paragraph 14 of the writ petition. The records of the case reveal that earlier also in respect of show cause dated 28.6.2010 the petitioner has not submitted any reply. Letter which is at page 19 of the brief (Annexure 4 series) is merely a communication alleging that earlier reply has been submitted. What is the earlier reply, what is the details of the same or even the date when the same has allegedly been submitted, are not mentioned in the reply to the show cause dated 28.6.2010. Apparently, the petitioner is evading response to the show cause notices issued to her.

In view of the aforesaid circumstances, this Court is not inclined to allow the prayer of the petitioner for issuing a



direction to the respondent authorities for granting requisite fund and *Poshahar* for running the Anganbari Center in question.

The writ petition is dismissed.

It will be open to the petitioner to submit her response to the show cause dated 8.5.2013 (Annexure 6), if in the meantime no further action has been taken in this regard pursuant to the said show cause.

(Madhuresh Prasad, J)

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