

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4180 of 2021

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Md. Zaharuddin @ Md. Zahrudin 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 Office, 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 wife of Mankeshwar Prasad Resident of Village- Mathiya,
Ward No. 8, 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.
8. Kumari Anisha wife of not known to the petitioner, Resident of Village-
Mathiya, Ward No. 8, P.O. Keshariya, P.S. Keshariya, District- East
Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar Manglam
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

2 31-01-2022 The matter is heard via video conferencing due to
circumstances prevailing on account of COVID-19 pandemic.

State counsel accepts notice for the respondent No. 1
to 6. Service of notice to Respondent Nos. 7 and 8 is dispensed



since no adverse order is being passed in the present petition.

In the present petition, petitioner has prayed for following reliefs :-

(i) For issuance of an appropriate writ in the nature of Certiorari for quashing the letter dated 14.09.2020 issued under the signature of the respondent No.6 and contained in her letter No.357 dated 14.09.2020 whereby and whereunder he had rejected / disposed of the objection filed by the petitioner for shifting of respondent No.7 to the newly created Aanganwari Centre in Ward No.8 as also for selection of a new Aanganwari Sevika and Sahiyika amongst the residents of Ward No.7 on the ground that if the respondent No.7 was appointed as Aanganwari Sevika when there was no Aanganwari Centre in Ward No.7, after decision of the State Government for creation of Aanganwari Centre in all wards of a Gram Panchayat, if an Aanganwari Centre was established in Ward No.8, the services of Respondent No.7 was required to be shifted to the newly created Centre in Ward No.8 on the ground of being a resident of Ward No.8 and fresh selection was required to be made for a Centre of Ward No.7 from amongst the said ward.

(ii) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondent No.6 to produce on record the selection letter of the respondent No.8 as Aanganwari Sevika of Ward No.7 under Gram Panchayat Raj, Mathiya and on producing the same may be quashed by issuance of an appropriate writ in the nature of Certiorari on the ground that she is a resident of Ward No.8, and after the establishment of a centre in Ward No.8, the respondent No.7 who is a resident of Ward No.8 and was serving as an Aanganwari Sevika in Ward No.7 should have been shifted to Ward No.8 and fresh Sevika and Sahayika should have been



selected and appointed from amongst the resident of Ward No.7.

(iii) For issuance of any other appropriate writ/writs, order / orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

Petitioner’s relief is supported in filing representation dated 18.10.2017 (Annexure-P-3), 25.12.2017 (Annexure-P-3/1), 19.02.2018 (Annexure-P-4), 20.02.2018 (Annexure-P-5), 22.01.2020 (Annexure-P-7) before the concerned authorities but the concerned authorities has not taken any decision on the petitioner’s representation.

Therefore, the concerned authority is hereby directed to redress the grievance of the petitioner stated in the representation in passing speaking order and communicate the same to the petitioner within a period of three months from the date of receipt of this order along with any judicial pronouncement, if any.

With the aforesaid observation and direction, this writ petition is disposed off.

(P. B. Bajanthri, J)

sanjeev/-

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