

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19730 of 2014

Pratima Devi Wife of Jit Lal Prasad, Daughter in law of Sri Narayan Prasad
R/o Daxani Dekha, Tola Kasba, P.S. Piprakothi, Distt. - East Champaran,
Ward No. 8, Centre - 53, Daxani Dhekha ... Petitioner
Versus

1. The State Of Bihar
 2. The District Magistrate, East Champaran at Motihari
 3. The In Charge Officer, District Public Complain Cell, East Champaran, Motihari
 4. District Project Officer, East Champaran, Motihari
 5. The District Programme Officer, Motihari, East Champaran
 6. Child Development Project officer, Pipra Kothi, Distt. - East Champaran
 7. Block Development officer, Pipra Kothi, Distt. - East Champaran
- ... Respondents

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.Lalit Kishore AG

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 12-12-2022 No one appears for the petitioner.

This writ petition is pending since 2014 and therefore arguments of the learned counsel for the State was heard.

The petitioner by way this writ petition prays as under :

(I) That the present writ applications being filed for issuance of an appropriate writ order/direction(s) in the nature of Certiorari for quashing the letter issued by the C.D.P.O., Piprakothi R. No. 6 vide memo no. 107 dated 25/07/2012 (Annexure 2) by which R. No. 6 directed the petitioner to run centre no. 53 to centre no. 12 as per the departmental order and ward mapping in



terms of annexure 1 to the writ application same is not sustainable on the ground that there was no proper verification was made nor norms or roster has been followed nor the survey has been properly done and thus the order shifting centre no. 53 to centre ward no. 12 is illegal, arbitrary and violative of rule of natural justice.

(II) That the present writ application is being filed for issuance of an appropriate writ order/direction(s) in the nature of Mandamus directing the C.D.P.O. R. No. 6 to not shift the centre no. 53 to centre ward no. 12 as the proper verification of the ward has not been done nor the survey has been properly done and further the centre no. 54 is nearer to centre ward no. 12, thus the shifting the centre no. 53 to centre ward no. 12 should not be done to a place which is about 6 km away from the house of the petitioner and the same is against the Principles of fundamental rights as guaranteed under the Constitution of India.

(III) And for issuance of any other relief or relief(s) for which the petitioner is entitled for.

Counsel for the State has pointed out that the Department of Social Welfare has decided to establish Aagan Bari Center coterminous to the each ward of Panchayat. Guidelines in this regard was issued on 16th February, 2012, As per the said guidelines where there was more than one center running in a ward of Panchayat one center was to be shifted in another ward of the Panchayat. In other words, in one ward



there was to be one center only. Accordingly, the C.D.P.O., Piprakothi, East Champaran, ordered the petitioner to shift her center to ward no. 12 where there was no Aagan Bari Center. This was with the purpose to provide adequate facility of the social welfare scheme to residents of each ward.

The petitioner has refused to shift her center voluntarily therefore the respondent passed order for shifting the center.

This Court finds that the issue with regard to the Aagan Bari Centers to be placed in each ward is a policy decision of the State and the same is required to be complied with. No interference in such policy matter is warranted.

The writ petition is devoid of merit and, accordingly, dismissed.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 14

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