

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6670 of 2019

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Sangita Kumari @ Sangita Kumari Bharti W/o Deep Lal Sahani Res. of Vill-
Chand parna P.S. Meenapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar.
2. The Director I.C.D.S, Welfare Department, Government of Bihar.
3. The District Magistrate Muzaffarpur.
4. The District Programme Officer Muzaffarpur.
5. The Block Development Officer Block- Meenapur.
6. The Child Development Officer (C.D.P.O.) Block - Meenapur, Distt.- Muzaffarpur.
7. The Panchayat Secretary Block- Meenapur, Distt.- Muzaffarpur.
8. Mukhia Gram Panchayat Mukhia Gram Panchayat
9. Sarita Kumari W/o Satya Narayan Sahani Res. of Vill.- Chand Parna, P.S. - Meenapur, Distt.- Muzaffarpur.
10. Seema Kumari W/o Umashankar Sahani Res. of Vill.- Chand Parna, P.S. - Meenapur, Distt.- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Adv.
For the Respondent/s : Mr.Prashant Pratap (GP2)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 30-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Counsel for the petitioner submits that the present writ petition has been filed for quashing of advertisement contained in Letter no.1159 dated 27.03.2017 vide Annexure-6 issued under the signature of District Magistrate, Muzaffarpur with respect to Serial No.16, Block- Meenapur and in response



to Advertisement No.990 dated 05.04.2016 under different Blocks within the district of Muzaffarpur.

3. Counsel further submits that in a Circular issued by the Director, ICDS dated 16.02.2012 in which it has been clearly mentioned that a Anganwari Centre shall be established in each ward, but husband of the petitioner has filed representation to the CDPO as well as to the District Magistrate mentioning all the facts. He further submits that the complaint has also been filed before the District Public Complaint Redressal officer, Muzaffarpur.

4. Counsel further submits on the representation of private respondent No.10 to the CDPO, shifting of Ward No.13 to Ward No.14 has been made. He further submits that a fresh advertisement was published in daily newspaper on 27.11.2018 and in response to Advertisement No.990 dated 05.04.2016, a fresh Anganwari Sevika shall be appointed in different Blocks, but in Ward no.14, the appointment of Anganwari Sevika has not been made.

5. Counsel for the State submits that Annexure-7 is the representation filed by the petitioner before the District Magistrate. He further submits that the petitioner has made frivolous claim and in the counter-affidavit, it has been clearly



mentioned that the demand of petitioner in the representation is completely illegal. Seeking demand of quashing of advertisement with respect to Serial No.16, Block- Meenapur contained in letter No.1159 dated 27.03.2017 of the representation issued under the signature of DPO, Muzaffarpur has been made. It has been mentioned in the counter-affidavit that respondent No.10 is resident of Ward No.13 and she was appointed as Anganwari Sevika for Anganwari Centre No.113, Gram Panchayat Chandpama, under Meenapur Block, District- Muzaffarpur on 25.03.2010.

6. Counsel further submits that respondent No.9 is resident of Ward no.13 and she was appointed as Anganwari Sevika for Anganwari Centre No.227, Gram Panchayat Chandpama, under Meenapur Block in the District- Muzaffarpur dated 27.04.2007. It has also been mentioned that the shifting of Sevika/Sahaika as per the guidelines is purely administrative decision and the same has been made in consonance with departmental guidelines in discharge of such administrative function.

7. In the light of the pleadings made, it transpires to this Court that there is no statutory right available to the petitioner due to which, this Court directs for shifting of



Anganwari Centre, and therefore, this writ petition is hereby disposed off granting liberty to the petitioner that in case, there is any specific rule in her favour then she shall be at liberty to file representation afresh before the District Magistrate in this regard within 60 days from the date of passing of this order.

8. With the aforesaid direction, the present writ application is hereby disposed off.

(Dr. Anshuman, J.)

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