

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1171 of 2017

In

Civil Writ Jurisdiction Case No.14684 of 2008

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Anupma Devi, Wife of Niraj Prasad @ Niraj Kumar Shrivastava, Resident of
Village- Motihari 'D' Ward No. 9, P.S.- Bairia, District- West Champaran.

... .. Appellant/s

Versus

1. Madhu Devi, Wife of Suman Prasad, Resident of Village- Motihari 'D', Ward No. 9, P.S.- Bairiya, District- West Champaran.
2. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna-15.
3. The Divisional Commissioner, Tirhut Range, Muzaffarpur, Bihar.
4. The District Magistrate, West Champaran, Bettiah.
5. The Block Development Officer, Bairiya Block, West Champaran.
6. The Child Development Project Officer, Bairiya, District West Champaran.
7. The Mukhiya, Gram Panchayat Raj Tumkariya, District West Champaran.
8. The Panchayat Secretary, Tumkariya, Gram Panchayat Raj, District West Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 20-04-2018

Heard counsel for the appellant and learned Senior
Counsel for the private respondent.

We are not impressed by the submission of the learned
counsel for the appellant that the marks obtained in the extra paper
will accrue to her favour when a comparative analysis is made
between the private respondent and her in matter of appointment
as Anganwari Sevika.



There is a basic fallacy when reliance is placed by the counsel for the appellant on a Government circular. Since engagement on the post of Anganwari Sevika is not a Government employment as such but is hiring on contract for the purpose of running of mid-day meal centres, therefore, such line of argument will not accrue to her favour.

The learned Single Judge after having analysed all the submissions and the decisions, which was pressed in service, has rightly come to the conclusion and allowed the writ application.

No interference is warranted with the order of the learned Single Judge. Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.04.2018
Transmission Date	NA

