

WPA 9731 of 2020

**Kalpana Das
Vs.
The State of West Bengal & Ors.**

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Mr. Mohinoor Rahaman
Mr. Satadal Sovan Halder
... For the Petitioner

Ms. Chaitali Bhattacharya
Mr. Subhendu Roy Chowdhury
... For the State

Affidavit of service filed in Court be kept with the record.

The petitioner claims that she served as an Anganwadi Worker for a considerable period of time. The petitioner has annexed an order dated 4th May, 1999 showing that she was permitted to work as Anganwadi Worker in respect of the project mentioned against her name.

The petitioner alleges that after serving continuously for more than two decades the respondent authority all on a sudden in October 2020 restrained her from performing her duties.

The petitioner submits that the charge of the petitioner has been handed over to the respondent no. 4.

The petitioner submits that she had been performing her duties sincerely and regularly and there is no complaint against her from any corner whatsoever.

The petitioner prays for consideration of her case so that he may be permitted to continue her service as Anganwadi Worker.

The learned advocate appearing on behalf of the State respondents submits that the petitioner was a contractual employee and she was

engaged in respect of certain projects. The petitioner being a contractual employee cannot claim any protection in service and she will be entitled to remain in service as long as her service is required by the State.

It appears from the affidavit affirmed by the petitioner that she is presently aged about 64 years. The protection of service as envisaged in Article 311 of the Constitution of India will not be available in respect of contractual Anganwadi Workers. The petitioner has also crossed the normal age of superannuation applicable in respect of government employees. The petitioner has submitted that the charge has already been handed over to the respondent no. 4.

In view of the above, no relief can be granted to the petitioner in the instant writ petition.

WPA 9731 of 2020 stands dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)

