

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.327 of 2019

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Anita Kumari @ Anita Devi wife of Pulhast Singh, Resident of Village-
Suhawal Panchayat- Nandgaon, Ward No. 4, P.O. P.S. Block- Chainpur,
District- Kaimur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Social Welfare Govt. of Bihar, Patna.
3. The District Magistrate-cum- Collector, Kaimur.
4. The District Programme Officer, Kaimur at Bhabua.
5. Mukhiya, Panchayat- Nandgaon, P.O. P.S. Block- Chainpur, District-
Kaimur Bhabua.
7. Sarita Kumari, W/o Jai Prakash Singh, Resident of Village- Suhawal
Panchayat- Nandgaon, Ward No. 4, P.O. P.S. Block- Chainpur, District-
Kaimur.
8. Bihar Sanskrit Shiksha Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Respondent/s : Mr.Gyan Prakash Ojha -Ga7

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-02-2023 In the writ application, the petitioner has prayed for
following reliefs:-

“1. For directing the respondent authorities
to consider the case of petitioner by selecting /
appointing her on the post of Anganwadi Sevika
in Anganwadi Centre in Ward no. 4 of the village
Suhawal in Nandgaon Panchayat of Prakhanda
Chainpur in District Kaimur, as the person who is
having less merit than the petitioner has been
appointed illegally.

2. For quashing of order dated 07.09.2018
passed by the Collector-cum-District Magistrate,



Kaimur at Bhabua in Anganwadi Appeal No. 2/2018 by which the order passed by District Programme Officer appointing the petitioner on the post of Anganwadi Sevika, vide its order dated 09.10.2018 has been set-aside.”

Heard learned counsel for the parties.

The post of Anganbari Sevika / Sahahyika is not a post having security of tenure or protection under Article 311 of the Constitution of India. It does not fall within the purview of the State or subordinate services and is a post under a scheme regulated by guidelines of the State Government, which are not enforceable in law. The very nature of engagement provides for honorarium. It is purely a contractual engagement.

In view thereof, the writ petition would not lie with regard to the selection process of Anganwadi worker and is, accordingly, dismissed.

However, while dismissing the writ petition, it is observed that if the petitioner still feels aggrieved, she may approach the competent authority.

(Prabhat Kumar Singh, J)

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