

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13522 of 2013

Pratima Singh W/O Binod Singh R/O/V- Sripur, P.S and Block- Triveniganj,
District- Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Supaul.
3. The District Program Officer, Supaul.
4. The Child Development Project Officer, Triveniganj, Block.
5. Jyotsna Kumari W/O Female Supervisor Block- Triveniganj, District-
Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sajid Salim Khan, Adv.
For the Respondent/s : AAG-9

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 30-01-2023 Heard the parties.

2. The petitioner has prayed as under:-

1. *That, the instant writ application on behalf of the above named petitioner is being filed for the following reliefs:-*

I. For, issuance of appropriate writ/writs, order/orders for quashing of appeal case no. 43/12 dated 16.10.12, issued vide letter no. 1530 dated 20.10.12 by the respondent no.2, whereby the said respondent has dismissed the appeal of the petitioner on improper grounds.

II. For issuance of direction/directions directing the respondents to reinstate the petitioner as Anganbari Sevika of Anganbari Center No. 113, Block Triveniganj, District-Supaul.

III. For issuance of any other relief/reliefs to which the petitioner may be entitled to in the facts and circumstances of the case.

2. *That, for the aforesaid relief/reliefs are being sought for on the following grounds:-*

I. For, that the order passed by respondent no.2



in appeal is bad, illegal, perverse & against the facts & circumstances of the case & is fit to be set aside.

II. For, that the Annexure-1, shows complete non application of mind by the respondent no. 2 & is silent & vague order.

(III) For, that the defense of the petitioner has not been considered at all by the respondents & thus they have committed an illegality.

(IV) For, that no reason at all has been given by the respondent No. 2 as to how gross negligence has been committed by the petitioner in the functioning of the Agnabari Sevika & thus the order is bad.

(V) For, that the colorable action of the respondents is arbitrary & has caused great prejudice to the petitioner.

3. A Co-ordinate Bench of this Court in an order passed on 04.01.2023 in CWJC No. 14727/2013 has held that *“the post of Anganwari Worker is not a cadre post and the same is governed by guidelines issued in that respect. It is not a post under the State services and a writ petition therefore would not be maintainable with regard to the same”.*

4. In view of the order passed by the Co-ordinate Bench, this writ application is not maintainable and the same is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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