

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18563 of 2013

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Seema Gupta Wife Of Birendra Prasad Resident Of Village - Barwal Narwal,
P.S. - Bagaha, District - West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Social Welfare Department, Patna.
2. The Director, Integrated Child Development Services, Directorate, Bihar, Patna
3. The District Magistrate/Collector, West Champaran, Bettiah
4. The District Programme Officer, West Champaran, Bettiah
5. The Child Development Project Officer, West Champaran, Bettiah
6. The Mukhiya, Gram Panchayat Raj, Narwal, Bagaha, West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Adv. Mr. Ujjwal Kumar Singh, Adv.
For the Respondent/s	:	Mr. Naman Nayak, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 19-01-2023

1. The petitioner has prayed the following relief:-

(A) a writ in the nature of certiorari or any other appropriate writ, order direction for quashing the following:-

(I) Order dated 24.10.2011 containing Letter No.111 issued by the District Programme Officer, cancelling the appointing of the petitioner as a Anganwari Sevika of Anganwari Centre No. 229 holding that her reply of the show cause is found unsatisfactory.

(ii) Order dated 28.04.2012 passed in R.M. 42/11-12 by the Collector, West Champaran dismissing the appeal filed by petitioner against order dated 24.10.2011 by which appointment of the petitioner was cancelled.

(iii) Order dated 24.10.2011 contained in Letter



no. 411 issued by Zila Programme Officer directing the C.D.P.O., Bagaha to cancel the selection of the petitioner of Anganwari Centre No.229 Narwal Barwal Panchayat falling within Bagaha Block of District West Champaran.

(iv) Order dated 05.11.2011 as contained in Letter No. 485 issued by C.D.P.O., Bagaha, intimating the petitioner about cancellation of selection as Anganwari Sevika.

(v) Order dated 28.04.2012 passed by the Collector, West Champaran, dismissing the appeal filed by the petitioner.

(vi) Order dated 06.05.2013 passed in Case No. ICDS/50030/30-2013-2172 passed by the Director, Integrated Child Development Services, Directorate, Bihar, Patna.

(B) A writ in the nature of Mandamus or any other appropriate writ/direction commanding the respondents for the following:-

(I) To hold that the order contained in Annexure-3, 5, 6 and 8 are honest in the eye of law.

(ii) To hold that the order of the Collector is discriminating and in similar circumstances, he allowed the appeal of others, and dismissed the appeal of the petitioner.

(iii) To restrain the respondents from giving effect the order contained in Annexure-5,6 and 8.

(iv) To restrain the respondents from intervening the work of petitioner as Anganwari Sevika of Anganwari Centre No.229 of Narwal Barwal Panchyat.

(v) To treat the petitioner as a Anganwari Sevika Centre No.229.

2. In the opinion of this Court, the writ petition for appointment on the post of Anganwadi worker is not maintainable, as held in **C.W.J.C. No.21963/2014** which is held



as under:-

“2. The post of Anganwadi worker does not fall within the purview of the State or Subordinate Services and is a post under a scheme regulated by guidelines which are not enforceable in law. In view thereof, the writ petition would not lie with regard to the selection process of Anganwadi worker.”

3. Keeping in view thereto, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

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Item no.25

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