

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19442 of 2013

Basanti Devi W/O Suresh Prasad Resident Of Village- Dheka Kasba, P.S.-
Pipra-Kothi, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Department Of Social Welfare, Govt. Of Bihar, Patna
2. Director, Department Of Social Welfare, Govt. Of Bihar, Patna
3. District Magistrate, East-Champaran At Motihari
4. District Programme Officer, East Champaran, At Motihari
5. District Welfare Officer, East Champaran, At Motihari
6. Child Development Project Officer, Pipra-Kothi, District- East Champaran
7. Mukhiya, Gram Panchayat Raj Dheka Dakhini, P.S.- Pipra-Kothi, District-
East Champaran
8. Panchayat Secretary, Dakhini Dekha, P.S.- Pipra-Kothi, District- East
Champaran
9. Srimati Kumari W/O Bhairo Lal Prasad Dakshini Dekha, P.S.- Pipra-Kothi,
District- East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Singh, Adv. Ms. Alka Singh, Adv.
For the Respondent/s	:	AAG-12

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-01-2023 Heard learned counsel for the petitioner.

2. The petitioner has prayed as under:-

i. For, issuance of appropriate writ/order or direction
for quashing the order dated 4.01.2013 passed in Misc. Case
no.-42/11 (Basanti Devi v. State of Bihar and Others) passed by
the Collector, East Champaran, Motihari as contained in
Annexure-7 to this petition by which the learned Collector has
been pleased to dismiss the Misc. Case of the petitioner on the



ground that the name of the husband of the petitioner mentioned at serial no.75 of the survey register which does not come within Center no.-54 and her form was submitted at another centre. Hence, she was not eligible for the post of Sevika at Centre no.-54 as her Poshak Kshetra was Centre No.-53. She claims her appointment on forged marks at Centre No.-54.

ii. For issuance of an appropriate writ/order or direction for commanding or directing the respondent authorities to appoint the petitioner on the post of Anganbari Sevika at Centre No.-54 within Gram Panchayat Raj Dhekha Dakhsini, PS-Piprakothi, Dist.-East Champaran in place of Srimati Kumari (Respondent no.-9), on the ground that respondent no.-9 was selected/appointee as Angan Bari Sewika of Centre No.-54 within Dhekha Dashini Panchayat on producing fake marksheet of 83.20% but in fact she had secured 51% marks and petitioner had secured 80% marks.

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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