

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19794 of 2013

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Seema Kumari W/O - Sri Raj Kumar Resident Of Village - Bhagalpur Diyara,
Panchayat Dadupur, Ward No. 6, P.O. - Rupasbag, P.S. - Bachhwara, District
– Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Social Welfare Education, Bihar, Patna
3. The Commissioner, Commissioner, Munger
4. The District Magistrate, Begusarai
5. The District Development Commissioner, Begusarai
6. Child Development Project Officer-Cum-Block Development Officer,
Bachhwara, District - Begusarai
7. Usha Kumari W/O - Sheodani Rai Resident Of Village - Bhagalpur, Diyara,
P.O. - Rupapasbag, P.S. - Bachhwara, District - Begusarai
8. Sheodani Rai Son Of Resident Of Village - Bhagalpur, Diyara, P.O. -
Rupapasbag, P.S. - Bachhwara, District - Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sadanand Paswan
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG-13
Mr. Rajat Kumar Tiwary, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2023 The petitioner has approached this Court challenging

the order dated 15.06.2013 passed in Misc. Appeal Case No. 47

of 2010 by the District Magistrate, Begusarai for appointment of

petitioner on the post of Anganwari Sevika.

A Division Bench of this Court, in the case of **Neetu
Kumari vs. The State of Bihar and Others**, reported in (2011)
4 PLJR 20, has held in paragraph nos. 4 and 5 as follows:-

“4. In our considered view, the post
of Anganbari Sevika is not a post having
security of tenure or protection under Article
311 of Constitution of India. Considering the



very nature of engagement which provides for honorarium, we are of the view that in case the appellant still feels aggrieved, she may approach the Civil court for damages.

5. There is nothing at stake in such a scheme other than honorarium. For such contractual engagements the relief of reinstatement is not appropriate and even if there is breach of the scheme or any other principle of law, the claim should ordinarily be permitted, if found good on merits, only for damages”.

Further, a Single Bench of this Court, *vide* order dated 04.01.2023, passed in CWJC No. 14727 of 2013 (Suhana Khatoon vs. The State of Bihar and others) 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*”.

In view of the above, this writ application is not maintainable and the same is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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