

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20103 of 2013

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Anju Kumari Wife Of Naresh Sharma Resident Of Village- Belsar, Police Station- Belsar In The District Of Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors Government Of Bihar, Patna
2. The Director, Integrated Child Development Scheme, Social Welfare Department, Government Of Bihar, Patna
3. The Deputy Director, Welfare, Tirhut Division, Muzaffarpur
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur
5. The District Magistrate, Vaishali
6. The District Programme Officer, Vaishali
7. The Child Development Project Officer, Belsar, Vaishali
8. Meera Sinha @ Menka Kumari Wife Of Shyam Kishore Resident Of Village- Belsar, Police Station- Belsar In The District Of Vaishali
9. Menka Kumari Wife Of Anand Prakash Resident Of Village Post-Sahdullahpur, P.S. Ganga Bridge In The District Of Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s : NONE
For the Respondent/s : NONE

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-02-2023 The petitioner has approached this Court for direction to the respondents to appoint her on the post of Anganbari Sevika at Anganbari Centre No. 23, Belsar Gram Panchayat, Patedhi Belsar Block, Vaishali.

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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