

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6770 of 2017

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Gauri Kumari Daughter of Birendra Prasad Bhagat, resident of Village-
Murliganj Police Station Murliganj Block Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Social Welfare I.C.D.S. Directorate Government of Bihar, Patna.
3. The Commissioner, Koshi Division Saharsa.
4. The Deputy Director Koshi Division Saharsa.
5. The District Magistrate Madhepura District Madhepura.
6. The District Programme Officer Madhepura, District Madhepura.
7. The Child Development Project Officer Murliganj Block Murliganj District Madhepura.
8. The Nagar Panchayat Secretary Murliganj, District Madhepura.
9. The Ward Counciler Murliganj District Madhepura.
10. Rekha Devi, D/o Bhola Dharkar Chairman Anganbari Kendra Durga Asthan Center No. 14, resident of Murliganj Ward No. 9, P.S. Murliganj, District Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shivnandan Sah, Advocate
For the Respondent/s : Mr.Gyan Prakash Ojha-GA-7
Mr.Abhishek Singh, AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-02-2023 In the writ application, the petitioner has prayed for
following reliefs:-

“1. For setting aside order dated
22.05.2014 passed by Commissioner, Koshi
Division, Saharsa in Anganwari Appeal No. 222
of 2014 whereby and whereunder order dated
18.09.2014 passed by Deputy Director, Koshi
Division, Saharsa in Anganwari Appeal No. 96 of



2012 whereby and whereunder order dated 13.12.2013 passed by District Magistrate, Madhepura in Anganwari Memo No. 128 whereby and whereunder order dated 10.02.2012 passed by District Magistrate, Madhepura is confirmed by which termination of the petitioner on the post Anganwari Sevika for Durga sthan Anganwari Centre no. 14 under District Madhepura has been cancelled with considering the facts and circumstances of the case about five years of her regular service on the said post.

2. For directing the respondent concerned to reinstate the petitioner on the post of Anganwari Sevika for Anganwari Centre at Durga sthan Centre no. 14 under Nagar Panchayat Murliganj Block Murliganj in District – Madhepura.”

Heard learned counsel for the parties.

The post of *Anganbari Sevika / Sahayika* is not a post having security of tenure or protection under Article 311 of the Constitution of India. It does not fall within the purview of the State or subordinate services and is a post under a scheme regulated by guidelines of the State Government, which are not enforceable in law. The very nature of engagement provides for honorarium. It is purely a contractual engagement.



In view thereof, the writ petition would not lie with regard to the selection process of Anganwari worker and is, accordingly, dismissed.

However, while dismissing the writ petition, it is observed that if the petitioner still feels aggrieved, she may approach the competent authority.

(Prabhat Kumar Singh, J)

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