

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18764 of 2014

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Guddi Kumari wife of Ajit Kumar, Resident of village Budhwara, Ward No. 7, P.S.- Govindpur, District- Nawada

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Department of Social Welfare, Government of Bihar, Patna
3. Director, Integrated Child Development Scheme I.C.D.S., Department of Social Welfare, Government of Bihar, Patna
4. Commissioner, Magadh Division, Gaya
5. Deputy Director, Welfare, Magadh Division, Gaya
6. District Magistrate, Nawada
7. District Programme Officer, Nawada
8. Child Development Project Officer, Govindpur, District Nawada
9. Block Development Officer, Govindpur, District- Nawada
10. Ward Member of Ward No. 7, Budhwara Gram Panchayat, P.S. Govindpur, District- Nawada
11. Panchayat Secretary, Budhwara Gram Panchayat, P.S. Govindpur, District- Nawada
12. Mukhiya, Budhwara Gram Panchayat, P.S. Govindpur, District- Nawada
13. Bebi Kumari wife of Bablu Kumar, resident of Ward No. 8 of Budhwara Gram Panchayat, P.S. Govindpur, District- Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr.Md.Imteyaz Ahmad
For the Respondent/s	:	Mr.Kumar Manish, SC-5 Mr.Kumar Pankaj, AC to SC-5

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 09-02-2023 In the writ application, the petitioner has prayed for following reliefs:-

“1. For setting aside the order dated 18.09.2014 passed by Deputy Director, Welfare, Magadh Division, Gaya in Anganbari Appeal No.



66 “K”/2014 by which he dismissed the appeal preferred by the petitioner.

2. For quashing of order dated 08.02.2014 passed by the District Programme Officer, Nawada in Case No. 87 of 102 (Misc.) Selection/2013 by which he allowed application filed by the private respondent Bebi Kumari and set aside the engagement of petitioner on the post of Anganbari Sevika of Ward no. 7 and directed to make a fresh appointment as per the merit list.

3. For quashing of memo no. 565 dated 20.09.2014 issued by the Child Development Project Officer, Govindpur in pursuance of the aforesaid two orders by which she cancelled the engagement of the petitioner as Anganbari Sevika of Budhwara-3 Centre Code no. 50.”

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 Anganwadi 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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