

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2355 of 2016

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Baby Kumari wife of Babloo Kumar, resident of Village- Karhara, P.O.-
Budhwara, P.S.- Govindpur, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Collector, Nawada.
2. The Director, Integrated Child Development Scheme, Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya
4. Deputy Director, Welfare, Magadh Division, Gaya.
5. The District Programme Officer, Nawada.
6. The Child Development Project Officer, Govindpur, District- Nawada.
7. Guddi Kumari, Wife of Ajit Kumar, Resident of Village P.O.- Budhwara,
P.S.- Govindpur, District- Nawada.
8. Babita, wife of Anandi Kumar, Resident of Village- Karhara, P.S.-
Govindpur, District- Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hansraj
For the Respondent/s : Mr.N.H. Khan- Sc18

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL JUDGMENT

Date : 09-02-2023

In the writ application, the petitioner has prayed for
following reliefs:-

“1. For issuance of an appropriate writ for
quashing memo no. 130 dated 30.03.2015 issued
by the Child Development Officer, Govindpur,
District – Nawada (respondent no. 6) whereby
the joining of the petitioner has been rejected, as
contained in Annexure-5 to this writ application.



2. For issuance of an appropriate writ commanding the respondent no. 6 – The Child Development Project Officer, Govindpur, Nawada to accept the joining of the petitioner as Anganbari Sewika of Centre Budhwara-III, Code No. 50, Ward No. 7 and to pay the consequential benefits from the date of her joining.

3. For any other relief/reliefs for which the petitioner is entitled under law as well as on facts.”

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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AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	N/A
Transmission Date	15.02.2023

