

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8356 of 2017

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Smt. Asha Devi, Wife of Mahesh Das, Resident of Village- Pansiha, P.S. Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Social Welfare Department, Govt. of Bihar.
2. The Director, Social Welfare (I.C.D.S), Bihar at Patna.
3. The District Magistrate-cum-Appellate Authority, Darbhanga.
4. The District Programme Officer, Darbhanga.
5. The Child Development Officer, Bahadurpur, Darbhanga.
6. Smt. Asha Devi, Wife of Sri Ganga Prasad Sahu, Resident of Village- Pansiha, P.S. Bahadurpur, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Respondent/s : Smt. Kumari Amrita, GP 3

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-02-2023 In the writ application, the petitioner has prayed for following reliefs:-

“1. For issuance of appropriate Writ or Writs, Direction or Directions, Order or Orders, setting aside the Order dated 24.3.2017, passed by the Learned Court of District Magistrate, Darbhanga vide Anganbari Case No. 163/2015 affirming the Order dated 20.6.2015, passed by the District Programme Officer, Darbhanga vide Anganbari Case No. 161/2015 by which petitioner’s case has been dismissed.”

Heard learned counsels for the parties.



The post of Anganbari Sevika / Sahahyka 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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