

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.71 of 2020

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Sunita Jaiswal, wife of Sunil Kumar, resident of At-Chauhatta, ward no. 8,
P.S. - Kishanpur, Block Kishanpur, District – Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, Integrated Child Development Schemes, Government of Bihar, Patna.
4. The Deputy Director, Welfare Department, Kosi Division, Saharsa.
5. The Collector-cum-District Magistrate, Supaul.
6. The Sub-Divisional Officer, Supaul.
7. The District Programme Officer, Supaul.
8. The Block Development Project Officer, Kishanpur, District – Supaul.
9. The Child Development Project Officer, Kishanpur, District – Supaul.
10. Lalita Kumari, Wife of Krishan Mohan Paswan, resident of At – Chauhatta, ward no. 8, P.S. Kishanpur, Block Kishanpur, District – Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pranav Kumar
For the Respondent/s	:	Mr.Prasant Pratap (Gp 2)
		Mr.Lala S.N.Rais, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 04-02-2023 In the writ application, the petitioner has prayed for
following reliefs:-

1. For quashing of order dated 25.08.2012 passed in Anganbari Case No. 51/12 bearing memo no. - 1278 dated 31.08.2012 (Annexure 2) issued by the District Programme Officer, Supaul (Respondent no. 7), by which, the petitioner has been terminated from the post of Anganbari Sevika pertaining to Anganbari Centre No. 76 Dhatta Tola Musahari under the Block Kishanpur, Supaul.



2. For quashing of order dated 26.10.2019 passed in Anganbari Appeal No.48-19/2012 – 16/2019 (Annexure – 6) by the Appellate Authority i.e. the Collector-cum-District Magistrate, Supaul (Respondent No. 5) by which the termination of order passed by the District Programme Officer, Supaul has been upheld.

3. For directing the authority concerned to remove the private respondent no. 10 from the post on which she has been appointed by way of an alter native arrangement on account of post fell vacant due to termination of petitioner and on the condition that the appointment of private respondent no. 10 shall be subject to result of the appeal.

Heard learned counsel for the parties.

The post of Anganbari Sevika / Sahahyika 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 Anganbari 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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