

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.823 of 2020

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Rukshana Khatoon wife of Nasiv Ansari Resident of Village- Khairwa, Under Grampanchayat- Mahodipur, Ward No. 1, Under Block- Majwaliya, District- West Champaran, Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social and Welfare Department, Government of Bihar, Patna.
2. The Secretary, Social and Welfare Department, Government of Bihar, Patna.
3. The Director, Integrated Child Development Scheme, Indira Bhawan, West Boring Canal Road, Patna.
4. The Divisional Commissioner, Tirhut Division, Patna.
5. The District Magistrate cum Collector, West Champaran.
6. The District Programme Officer cum Integrated Child Development Officer, Bettiah, West Champaran.
7. The Sub- Divisional Officer, Bettiah, West Champaran.
8. The Block Development Officer, Majhwaliya, West Champaran.
9. The Child Development Project Officer, Majhwaliya, District- Bettiah, West Champaran.
10. Shababun Neasha wife of Ashir Anshari Resident of Village- Khairwa, Under Block- Majhwaliya, District- West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Respondent/s : Mr.Kumari Amrita (Gp3)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

13 04-02-2023 In the writ application, the petitioner has prayed for following reliefs:-

1. For quashing of order dated 06.09.2019
passed by the Collector, West Champaran, Bettiah
in Case No. R.M. - 16/2018-19.

2. For directing the respondents to



immediately appoint the petitioner on the post of Anganwadi Sevika at Centre No. 370 under Gram Panchayat Mahodipur in place of Respondent no. 10.

3. For directing the concerned respondent to cancel the appointment of Respondent no. 10 because she obtained the appointment in place of petitioner through the wrong facts and on the basis of illegal documents by using back office method.

Heard learned counsel for the parties.

The post of Anganwadi 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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