

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16707 of 2023

Amrita Kumari Wife of Sanjay Kumar Tanti R/o Vilalge-Kushidol, P.S.-
Fullidumar, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Medical Officer, Banka.
2. The Civil Surgeon Cum Member Secretary, District Health Committee, Banka.
3. The Incharge Medical Officer, Referral Hospital, Katoria, Banka
4. Mukhiya, Panchayat Mathabari, P.S.-Fullidumar, Banka,
5. The District Magistrate, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam (AAG-12)

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 24-07-2024 The petitioner in the instant writ petition is an Asha Worker, who was removed by the Incharge Medical Officer, Katoria, Banka. The petitioner has challenged her order of removal in the instant writ petition.

2. The position of Asha worker is absolutely contractual and she was appointed under a Scheme as the petitioner is not governed under Article 311 of the Constitution of India. I have no other alternative but to hold that the instant writ petition is not maintainable.

3. Accordingly, the instant writ petition is dismissed.

4. However, the petitioner is at liberty to approach the competent Civil Court for damages, if any.

(Bibek Chaudhuri, J)

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