

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9200 of 2025

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Nitu Kumari Wife of Awadh Kishore Prasad @ Awadhesh Kishore Prasad,
Resident of Village - Gonahi, Ward No. 07, P.S. - Patahi, District - East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Director, I.C.D.S., Govt. of Bihar, Patna.
3. The Collector cum District Magistrate, East Champaran, Motihari.
4. The District Programme Officer (I.C.D.S.), East Champaran, Motihari.
5. The Child Developmetn Programme Officer, Patahi, District-East Champaran, Motihari.
6. Pramila Kumari, Lady Supervisor, Gram Panchayat Raj, Gonahi, Ward No. 07, P.S.-Patahi, District-East Champaran.
7. Manju Kumari, wife of Baliram Prasad, Resident of Village-Gonahi, Ward No. 07, P.S.-Patahi, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Respondent/s : Mr. Government Pleader (5)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

*“A. A writ in nature of Certiorari or any other
appropriate writ / writs, order / orders for
quashing the order dated 13.02.2025 passed
in Anganbadi Appeal Case No. 14 of 2019 by
the learned Collector-cum-District
Magistrate, East Champaran, Motihari,*



whereby and whereunder the learned Collector affirmed the order dated 18.12.2018 passed in Case No. 94 of 2017 by the District Programme Officer, I.C.D.S. Motihari, East Champaran, and dismissed the Appeal filed by the petitioner.

B. A writ in the nature of Mandamus or any other appropriate writ /writs, order/orders direction commanding the respondent for the following:-

I. To appoint the petitioner on the post of Anganbari Sevika at Anganbari Centre No. 110 situated at Gram Panchayat Raj, Gonahi, Ward No. 07, P.S. Patahi, District - East Champaran, considering this aspect that in provisional and final merit list, the petitioner's position stand 1st and above the Respondent No. 7 and also to pay the remuneration thereto.

II. To direct the Respondent / Authorities to declare the appointment of the Respondent No. 7 Manju Kumari on the post of Anganbari Sevika at Centre No. 110, situated at Gram Panchayat Raj, Gonahi, Ward No. 07, P.S. Patahi, District -East Champaran null and void.

C. To any other relief / reliefs to which the petitioner is entitled for and the Hon'ble court deems fit and proper.”



3. Learned counsel for the petitioner submits that she has not been selected only on the ground that her husband was working as Home Guard and monthly income was Rs.12,000/-. Counsel submits that, admittedly, a Home Guard is not a government servant, and payment is not made on a monthly basis, rather, it is made according to the work performed/done. He submits that her documents have not been considered at all and the D.P.O. as well as the Collector, both have decided this case against the petitioner without consideration of the documents.

4. Learned counsel for the State, on the other hand, submits that the order passed by the D.P.O. as well as by the Collector, both are reasoned order and it has been found that the petitioner's husband was getting money at that very time as more than Rs.12,000/- per month and the decision has been taken on the basis of the letter received from the commandant of the said district under which the petitioner's husband was working.

5. After hearing the parties, it transpires to this Court that this matter is relating to Anganwadi Sevika/Sahayika which is to be guided by Anganwadi Sevika/Sahayika Appointment Guidelines of 2016, whose Rule 6 categorically states that if any



person either in the government or non-government having monthly income of Rs.12,000/- or more, then his wife/daughter in law shall not be entitled for appointment on the post of Anganwadi Sevika & Sahayika.

6. Upon perusal of the orders impugned here, it transpires to this Court that the petitioner's husband working as Home Guard and on the basis of a letter issued by the Commandant obtained by the authorities concerned, it has been ascertained that he was earning a monthly income of Rs. 12,000/- or more during the said period.

7. As such, according to the rule mentioned above, this Court is of the view that the decisions taken by the D.P.O and the Collector have been made in accordance with law and there is no need of any interference. Hence, this writ petition stands dismissed.

(Dr. Anshuman, J)

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