

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10308 of 2026

=====

Sunita Devi wife of Shri Subodh Mishra, Resident of Village- Fatehpur, Ward no.9, Gram Panchayat- Fatehpur, Police Station-Narpatganj, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Social Welfare Department, Govern-ment of Bihar, Patna.
2. The Director, Integrated Child Development Service (I.C.D.S.), Social Welfare Department, Government of Bihar, Patna.
3. The Commissioner, Purnia Division, Purnia.
4. The District Magistrate, Araria.
5. The District Programme Officer, (I.C.D.S.), Araria.
6. The Child Development Project Officer (C.D.P.O.) Narpatganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner	:	Mr. Ram Sagar Singh, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, S.C.26
		Mr. Santosh Kumar Mishra, A.C. to S.C.26
		Mr. Divit Vinod, A.C. to S.C.26

=====

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 27-07-2026 Heard the learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

2. The present writ petition has been filed for the

following reliefs:

“1. For issuance of appropriate writ(s)/direction(s) for quashing the order dated 28.04.2026 passed in Appeal Case No.06/2023 by the Respondent no.4 by which appeal filed by the petitioner has been rejected and also the order as contained in Memo no.14 dated 03.01.2023 passed by the Respondent no.5 by which the petitioner has been terminated from the post of Anganwari Sevika,



Centre No.18154, Gram Panchayat Fatehpur and further for commanding the Respondent to reinstate the petitioner as Anganwari Sevika Centre No.18154, Gram Panchayat Fatehpur alongwith all consequential benefits.”

3. At the outset, the learned counsel appearing on behalf of the State submits that in view of the order dated 09.04.2026 passed in **L.P.A. No.695 of 2023 (Ram Dulari Devi v/s The State of Bihar & Ors.)**, whereby a Division Bench of this Hon’ble Court in paragraph nos.15, 16 and 17 has held as follows:

“15. In view of the aforesaid settled principles, this Court is of the considered opinion that the writ petition itself was not maintainable, as the dispute pertains to engagement under a government scheme and does not involve violation of any statutory provision or enforceable legal right.

16. This Court, therefore, finds that the learned Single Judge has correctly appreciated the legal position and has rightly declined to exercise writ jurisdiction, leaving it open for the appellant to avail alternative remedies, if so advised.

17. Since the writ petition itself was not maintainable, this Court does not deem it appropriate to enter into the merits of the rival claims with respect to eligibility, residence, or alleged irregularities in the selection process.”

4. *Per contra*, the learned counsel appearing on behalf of the petitioner submits that a Hon’ble Single Judge of this Court vide order dated 14.02.2023 passed in **C.W.J.C.**



No.20375 of 2011 (Julee Kumari @ Julee Devi v/s The State of Bihar & Ors.) has proceeded to hold that the writ petition is maintainable before this Hon'ble Court. He further refers to and relies upon a judgment of the Hon'ble Supreme Court of India in **Civil Appeal No. 208 of 2024 (Anjum Ara v/s The State of Bihar & Ors.)**, whereby the Hon'ble Supreme Court entertained and allowed the appeal preferred against the order passed by this Court in L.P.A. No.1853 of 2016.

5. Having considered the rival submissions and after going through the records and the judgment/order dated 09.04.2026 passed in L.P.A. No.695 of 2023, this Court is of the considered opinion that since the judgment passed by the Hon'ble Division Bench is binding on this Court, the present writ petition is dismissed as not maintainable in view of the order passed in the case of **Ram Dulari Devi** (supra).

6. At this juncture, the learned counsel appearing on behalf of the petitioner submits that he has got a remedy of filing a revision before the Commissioner of the concerned Division and therefore liberty be accorded to him to file a revision before the Commissioner of the concerned Division.

7. Accordingly, the petitioner is at liberty to approach the competent authority/forum in terms of the guidelines issued



for Anganwari Sevika/Sahaika in 2022.

8. Accordingly, the writ petition is dismissed.

(Ritesh Kumar, J.)

Sanjay/-

U		T	
---	--	---	--

