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**(2021) 02 JH CK 0098**  
**In the Jharkhand High Court**  
**Case No : Writ Petition(S) No. 2774 Of 2017**

Rekha Yadav

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

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**Date of Decision :** 10-02-2021

**Acts Referred:**

Constitution Of India, 1950 — Article 226

**Citation :** (2021) 02 JH CK 0098

**Hon'ble Judges :** Sanjay Kumar Dwivedi, J

**Bench :** Single Bench

**Advocate :** Awnish Shekhar, Bhaiya V. Kumar

**Final Decision :** Disposed Of

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## Judgement

1. Heard Mr. Bhaiya V. Kumar, the learned counsel for the petitioner and Mr. Awnish Shekhar, the learned counsel for the respondent State.
2. This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.
3. The petitioner has preferred this writ petition for direction to appoint the petitioner as Sevika in Anganbadi Kendra, Bamankanali, Fatehpur, Jamtara.
4. Mr. Bhaiya V. Kumar, the learned counsel appearing on behalf of the petitioner submits that the petitioner was selected as Anbangadi Sevika and it was informed by the respondent no.4 vide letter dated 12.11.2016 that the petitioner was not the Sevika of Anganbadi Kendra, Bamankanali Centre

and had since been continuously working as Sevika at the said Kendra. She completed 21 days preliminary training course for Anganbadi worker from 10.09.1999 to 30.09.1999 and thereafter she also went on further training. He further submits that on the false allegation the appointment of the petitioner has been cancelled. He submits that the petitioner has already moved before the Deputy Commissioner by way of filing a petition as contained in Annexure-13, but no decision has been taken as yet on the said petition.

5. Mr. Awnish Shekhar, the learned counsel appearing on behalf of the respondent State submits that the post of Anganbadi Sevika is not a civil post and the High Court under Article 226 of the Constitution of India may not interfere. He submits that the Deputy Commissioner is the competent authority and the petition to that effect is also pending as contained in Annexure-13.

6. In view of the above facts, the writ petition is being disposed of directing the respondent -Deputy Commissioner to take a decision on Annexure-13 within a period of eight weeks from the date of receipt/production of a copy of this order, if it has not been decided as yet.

7. Interim order dated 19.06.2017 is vacated.