

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15482 of 2015

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Suman Devi @ Suman Tiwari wife of Sri Ajay Kumar Mishra @ Ajay Mishra, resident of village- Mishrawaliya, P.O. Jalalpur, P.S. Jalalpur, Block- Jalalpur Panchayat- Madhopur, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector-cum-District Magistrate, Saran at Chapra
3. The District Programme Officer, Saran at Chapra
4. The C.D.P.O., Jalalpur, Block- Jalalpur, P.S.- Jalalpur, District- Saran at Chapra
5. The Director, I.C.D.S., Patna
6. Renu Devi w/o Harendra Kumar Mishra, resident of village- Mishrawalia, Post and P.S.- Jalalpur, Block- Jalalpur, District- Saran at Chapra
7. Shashi Kiran Devi, Wife of Devendra Mishra, resident of village- Mishrawalia, P.O. and P.S.- Jalalpur, District- Saran at Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kamala Kant Tiwary, Adv.
For the State	:	Mr. Gyan Prakash Ojha, GA 7
		Mr. Abhishek Singh, AC to GA 7
		Ms. Sushmita Ojha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL JUDGMENT

Date : 30-01-2023

1. In this writ petition grievance raised is relating to appointment of Anganwadi Worker.

2. In **CWJC No. 21963 of 2014** decided on **12.12.2022 (Reena Kumari Vs. State of Bihar & Ors.,)** this Court has held that the post of Anganwadi Worker does not fall within the purview of State or Subordinate Services. The post of



Anganwadi Worker is under a scheme introduced by Govt. of India and respective State Govts. and regulated by guidelines which are non-statutory and therefore not enforceable in law. The appointment is on honorarium basis and no statutory procedure has been laid down.

3. Of course, under the guidelines, grievance against appointment of Anganwadi Worker can be raised before the Collector of concerned District with a further revision to the Commissioner.

4. Even the orders passed by the Collector or the Commissioner would not be a subject matter of judicial review as the power being exercised by them relating to a dispute of Anganwadi Worker is under guidelines and they do not act as a statutory authority while deciding such dispute. In view thereof, the writ petition would not be maintainable even against the orders of the Collector or the Commissioner.

5. Leaving it open to the respective writ petition to avail any of the aforesaid remedies, if they have not so availed, the writ petition is held to be not maintainable.

6. Accordingly, this writ petition is dismissed with the aforesaid liberty.

7. If an appeal/revision is filed, the same shall be



decided expeditiously within a period of six months and the question of limitation will not arise.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 49

AFR/NAFR	
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