

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21269 of 2013

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Sunita Kumari Wife Of Sri Nandlal Sharma Resident Of Village - Tullapur,
P.S. Warsliganji, District - Nawada

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The District Magistrate, Nawada
3. The Additional Collector, Nawada
4. The District Programme Officer Icds , Nawada
5. The Child Development Project Officer, Kawakol, District - Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli, Adv.
For the Respondent/s : Mr. Kaushal Kr Jha AAG-14

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 06-02-2023 In this writ petition grievance raised is relating to
appointment of Anganwari Worker.

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 Anganwari Worker does not fall within the
purview of State or Subordinate Services. The post of
Anganwari 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.

Of course, under the guidelines, grievance against



appointment of Anganwari Worker can be raised before the Collector of concerned District with a further revision to the Commissioner.

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 Anganwari 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.

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.

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

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)

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