

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15185 of 2014

Indu Devi wife of Sri Ajay Mandal resident of village- Rani Diyara Purvi
Madhya Tola P.O. Rani Diyara under Rani Diyara Gram Panchayat P.S.
Pirpanti, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary-cum-Commissioner, Welfare Department,
Government of Bihar, Patna- 1
3. The District Welfare Officer, Bhagalpur
4. The Commissioner, Bhagalpur Division, Bhagalpur
5. The District Magistrate, Bhagalpur
6. C.D.P.O. Angan Bari, Pirpanti Block, Dist- Bhagalpur null null
7. Supervisor Bal Vikash Pariyojna, Pirpanti Block, Dist- Bhagalpur
8. District Programme Officer, Bhagalpur
9. Rani Devi wife of Sri Anirudh Yadav, resident of village- Rani Diyara P.O.
Rani Diyara, P.S. Pirpanti, District- Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Adv.
For the Respondent/s : Mr. R.N. Prasad, SC-9

**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 Anganwari 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 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.

3. 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.

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 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.

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)

Lata/-
Item No. 6

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

