

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15536 of 2015**

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Madhu Devi Daughter of Late Yogendra Prasad Byahut Resident of Mohalla - Nai Bazar, P.S. Bhagwan Bazar, District - Chapra Saran

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Social Welfare Department, Govt. of Bihar, Patna
3. The Director, Social Welfare Department, Govt. of Bihar, Patna
4. The Deputy Director, Social Welfare Department, Saran Division, Chapra
5. The Divisional Commissioner, Saran Division, Chapra
6. The District Magistrate, Saran at Chapra
7. Sunita Singh Wife of Sandip Kumar Sinha Resident of Mohalla - Nai Bazar, P.S. Bhagwan Bazar, District - Chapra Saran

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Alok Kumar Sinha, Adv.  
For the Respondent/s : Mr. Ashok Kumar Keshari, Aag11

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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. 51

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