

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18429 of 2013

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Kulsum Khatoon Wife Of Safique Islam Resident Of Village - Samda, P.O.
Hatwar Under Kishanganj Block, P.S. Kishanganj, District - Kishanganj

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Social Welfare, Government Of Bihar, Patna
3. The Director, I.C.D.S., Govt. Of Bihar, Patna
4. The District Magistrate, Kishanganj
5. The District Programme Officer, Kishanganj
6. The Child Development Project Officer, Kishanganj

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Adv. With Mr. Jawed Gaffar Kha, Adv. With Mrs. Priya Gupta, Adv. With Miss. Susmita Mishra, Adv.
For the State	:	Mr. Ajay, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

- 3 24-01-2023 1. The petitioner assails the order of the District Magistrate rejecting the appeal of the petitioner with regard to the non-appointment on the post of Anganwadi Worker. The post of Anganwadi Worker is not a cadre post and the same is governed by guidelines issued in that respect. It is not a post under the State services and a writ petition therefore would not be maintainable with regard to the same. The appeal being heard by the District Magistrate is also under the guidelines issued for the said purpose.



2. In the opinion of this Court, the writ petition for appointment on the post of Anganwadi worker is not maintainable, as held in **C.W.J.C. No. 21963/2014** which is held as under:

“Para 2: The post of Anganwadi worker does not fall within the purview of the State or Subordinate Services and is a post under a scheme regulated by guidelines which are not enforceable in law. In view thereof, the writ petition would not lie with regard to the selection process of Anganwadi worker.”

3. Keeping in view thereto, the writ petition is dismissed with liberty to file Revision Petition.

4. Pendency of the writ petition shall not come in way. The delay would be condoned accordingly.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No.37

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