

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18931 of 2015

=====

Gudiya Kumari W/o Rajesh Kumar resident of village - Gorai, P.O. Balha,
Block - Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna
3. The Director, Directorate of Intergrated Child Development Scheme,
Government of Bihar, Patna
4. The District Magistrate, Samastipur, Bihar
5. The District Program officer, Intergrated Child Development Scheme,
Samastipur Bihar
6. The Child Development Project Officer, Block Kalyanpur, Samastipur
7. Sangam Kumari W/o Navin Kumar Ram R/o village - Gorai, P.O. Balha,
Block Kalyanpur, District - Samastipur

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Adv.
For the Respondent/s : Mr. D.K. Prasad, GP 7

=====

**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 **C.W.J.C. 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)

Suraj/-
Item No. 77

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

