

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18180 of 2015

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Manisha Devi @ Manisha Kumari wife of Santosh Kumar resident of Village-
Uti Bariyarpur, Bathnaha, Post Office- Dashnut, Police Station- Hathori,
District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Human Resource and Social Development
Department, Government of Bihar, Pat
3. The Secretary, Department of Social Welfare, Government of Bihar.
4. The Deputy Director Welfare Darbhanga Commissionery, Darbhanga.
5. The District Magistrate, Samastipur.
6. The District Welfare Officer, Samastipur.
7. The Child Development Project Officer, Shivaji Nagar, Samastipur.
8. Mukhiya Gram Panchayat Uti Rahiyar Utar, Shivaji Nagar, Samastipur.
9. Smt. Kavita Kumari, wife of Bijay Kumar Jha, Resident of Village Uti
Bariyarpur Bathnaha, Post Office Dashunt, Police Station- Hathori, District-
Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Adv.
For the State : Mr. Shankar Kumar Thakur, AC to GP 27

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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)

Suraj/-
Item No. 73

AFR/NAFR	
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