

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16906 of 2009

=====

Sangita Kumari W/O Sri Upendra Kumar Paswan R/O - Naini Purab Tola,
P.O.- Naini, P.S.- Chapra Muffasil, Distt.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Department Of Human Resource, Government Of Bihar, Vikas Bhawan, Bailey Road, Patna
2. Director, Primary Education Department Of Human Resources Department, Government Of Bihar, Vikas Bhawan, Bailey Road, Patna
3. District Superintendent Of Education Chapra, Saran
4. Gram Panchayat Raj, Naini Through Panchayat Secretary Panchayat Bhawan, Naini, P.S.- Chapra Muffasil, Distt.- Saran
5. Mukhiya Gram Panchayat Raj Nini, Panchayat Bhawan, Naini, P.S.- Chapra Muffasil, Distt.- Saran
6. Head Master, Primary School Prathmik Vidyalaya, Turkvalia, P.S.- Chapra Muffasil, Distt.- Saran

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Amaresh Kumar Sinha, Advocate Mr.Vaibhav Warayan, Advocate
For the Respondent Nos. 4, 5 & 6	:	Mr.Ranjeet Kumar Pandey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

9 21-02-2023 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)

Chn/-
Item No.67

U			
---	--	--	--

