

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.21287 of 2013**

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Babita Kumari D/O Bhimsen Prasad And W/O Sri Munna Kumar Resident Of  
Village- Sorampur, P.S- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Social Welfare Department,  
Government of Bihar, Patna
2. The Principal Secretary, Social Welfare Department, Government Of Bihar,  
Patna.
3. The District Magistrate, Patna.
4. The Child Development Programme Officer, Patna, District- Patna.
5. The District Programme Officer, Patna.
6. Priya Kumari W/O Ramesh Ram Resident Of Village- Sorampur, P.S-  
Dulhin Bazar, District- Patna.

... .. Respondent/s

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**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Amitesh Kumar            |
| For the Respondent/s | : | Mr. Manoj Priaydarshi        |
| For the State        | : | Mr. Mahtab Alam, AC to SC-20 |

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH  
SHARMA**

ORAL ORDER

2      25-01-2023                      In this writ petition grievance raised is relating to  
  
appointment of Anganwari Worker

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 Anganwari Worker does not fall within the  
  
purview of State or Subordinate Services. The post of  
  
Anganwari 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.

Of course, under the guidelines, grievance against appointment of Anganwari Worker can be raised before the Collector of concerned district with a revision to the Commissioner.

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 Anganwari Worker is under guidelines and they do not act as a statutory authority while deciding such dispute.

Leaving it open to the respective writ petition to awake any of the aforesaid remedies, if they have not so availed, the writ petition is held to be not maintainable.

In view thereof, the writ petition would not be maintainable even against the orders of the Collector or the Commissioner.

Accordingly, this writ petition is dismissed with the aforesaid liberty.

**(Sanjeev Prakash Sharma, J)**

Brajesh Kumar/-  
Item no.51

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