

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21367 of 2013

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Saroj Devi Wife Of Braj Mohan Lal Pandit Resident Of Village - Kamal
Pipra, Police Station - Paharpur, District - East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Social Welfare Department, Government Of Bihar, Patna
3. The Director, Icds, Social Welfare Department, Government Of Bihar, Patna
4. The District Magistrate-Cum-Collector, East Champaran, Motihari
5. The District Programming Officer Establishment , East Champaran, Motihari
6. The Child Development Programming Officer, Paharpur, District - East Champaran
7. Sunita Devi Wife Of Lal Babu Pandit Resident Of Village - Kamalpur Pipra, Police
Station - Paharpur, District - East Champaran, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.
For the Respondent/s : Mr. Sita Ram Yadav, GP 16
Mr. Yatindra Narayan, AC to GP 16

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

ORAL ORDER

2 06-02-2023

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. 31

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