

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20874 of 2013

Rangila Kumari Wife Of Samodh Kumar Ray Resident Of Village- Banvira,
P.S.- Morwa, District- Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Social and Welfare Department, Government Of Bihar, Patna
2. The Director, Social And Welfare Department I.C.D.S., Government Of Bihar, Patna
3. The District Magistrate, Samastipur, Bihar
4. The District Officer, Samastipur, Bihar
5. The Deputy Development Commissioner, Samastipur, Bihar
6. The Child Development Project Officer C.D.P.O., Morwa, Samastipur, Bihar
7. The Block Development Officer, Morwa, Samastipur, Bihar
8. The Mukhiya, The Gram Panchayat Raj, Banvira, Morwa, Samastipur, Bihar
9. Dezi Kumari Wife Of Tuntun Kumar Sah Resident Of Village- Banvira, P.O.- Halai Hat, P.S. And Prakhand- Morawa, District- Samastipur, Bihar
10. Sobha Kumari Wife Of Dinesh Ray Resident Of Village- Banvira, P.O.- Halai Hat, P.S. And Prakhand- Morawa, District- Samastipur, Bihar
11. Guriya Kumari Wife Of Avinash Kumar Ray Resident Of Village- Banvira, P.O.- Halai Hat, P.S. And Prakhand- Morawa, District- Samastipur, Bihar
12. Sunila Kumari Wife Of Manoj Kumar Ray Resident Of Village- Banvira, P.O.- Halai Hat, P.S. And Prakhand- Morawa, District- Samastipur, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Madhaw Prasad Yadaw
For the Respondent/s	:	Mr. Roy Shivaji Nath
For the State	:	Mr. S.D. Yadav, AAG-9
	:	Mr. Nagendra Kumar, AC to AAG-9.

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.44

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