

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23176 of 2013

Indu Kumari Wife Of Awadh Prasad Resident Of Village - Basarihi, P.O.
Basahari, P.S. Bodh Gaya, Anchal Bodh Gaya, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Welfare Department, Government of Bihar
2. The Director, I.C.D.S. Directorate, Social Welfare Department, Patna
3. The Commissioner, Magadh Range Gaya
4. The District Magistrate, Gaya
5. The District Program Officer, Gaya
6. The Child Development Project Officer C.D.P.O. , Gaya
7. Sushila Devi Wife Of Saba Pair Das Resident Of Village - Basarihi, P.O. Basahari, P.S. Bodh Gaya, District - Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha
For the Respondent/s : Ms. Deepika Sharma, AC to SC-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.

Brajesh Kumar/-
Item no.76

U			
---	--	--	--

(Sanjeev Prakash Sharma, J)

