

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22996 of 2013

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Rita Kuamri W/O Ram Parvesh Mahto, Daughter Of Rajendra Mahto
Resident Of Village And P.O. Pratappur, P.S. Halsi, Distt. - Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Divisional Commissioner, Munger
3. District Magistrate Collector At Lakhisarai
4. Malti Sinha Wife Of Binod Kr. R/O Pratappur P.S. Halsi Distt. - Lakhisarai
5. Secretary, Gram Panchayat Pratappur P.S. Halsi Distt. - Lakhisarai
6. Mukhiya Sonmati Devi Village P.O. Pratappur P.S. Halsi Distt. - Lakhisarai
7. Child Development Officer Smt. Krichhna Singh Halsi Distt. Lakhisarai
8. Block Development Officer, Halsi, Distt. Lakhisarai
9. District Welfare Officer, Lakhisarai
10. Principal Secretary Welfare Department, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Muneshwar Prasad
For the Respondent/s	:	Mr. Harendra Pd. Singh
For the State	:	Mr. Kamlesh Kishore, AC to SC-12.

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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.75

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