

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23250 of 2013

Shanti Devi W/O Sri Deo Muni Paswan Resident Of Village- Alipur, P.S-
Sonhan, District- Kaimur Bhabua

... .. Petitioner/s

Versus

1. The State Of Bihar through it Director, I.C.D.S. Indira Bhawan, Patna.
2. The Commissioner, Patna Division, Patna.
3. The Collector, Kaimur At Bhabua.
4. The District Programme Officer-Cum- District Welfare, Officer, Kaimur At Bhabua
5. The Child Development Project Officer, Bhabua.
6. The Mukhiya Mahuwat Gram Panchayat, P.S- Sonhan, District- Kaimur.
7. Panchayat Secretary, Mohuwat Gram Panchayat, P.S- Sonhan, Distt- Kaimur.
8. Smt. Urmila Kunwar W/O Late Shivpujan Tiwari (Anganwari Sevika), Anganwari Kendra Alipur Code No. 77 Resident Of Village- Prashurampur, P.O- Dhanpokhar, P.S- Sonhan, District- Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vinod Kumar Seth, Advocate
For the Respondent/s	:	Mr. Jawahar Pd. Karn
	:	Dr. Anand Kumar, Advocate
	:	Mr. Ranjan Prakash, Advocate

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.79

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(Sanjeev Prakash Sharma, J)

