

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24298 of 2013

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Asha Devi Wife Of Sardeep Kumar Bosak Resident Of Village - Malickpur,
Ward No. 8, P.S. - Balrampur, District - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Social Welfare Department, Patna
2. The Director, Special Welfare Department, Bihar, Patna I.C.D.S.
3. The District Magistrate, District - Katihar
4. The District Programme Officer, District - Katihar
5. The Child Development Project Officer, Balrampur, District - Katihar
6. The Ward Member Cum Chairman, Appointment Committee, Ward No. 8,
Grampanchayat Raj - Lohagara, P.S.
7. Sabita Devi Wife Of Omprakash Pandit Resident Of Village - Malickpur,
P.S. - Balrampur, District - Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Respondent/s : Mr. Ajay Bihari Sinha, GA-8

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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.89

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