

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24987 of 2013

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Roshan Ara Wife Of Md. Ahlullah Resident Of Village - Ranipatti, Ward No. 8, Panchayat Ranipatti Sukhasan, P.O. - Ranipatti, P.S. - Kumarkhand, District - Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar, through The Secretary, Department of Panchayat Raj, Old Secretariat, Patna
2. The District Magistrate, Madhepura
3. The Child Development Project Officer, Kumarkhand, District - Madhepura
4. Bibi Jainab, Sahayika, Resident Of Village And Post - Ranipatti, Sukhasan District Madhepura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Kumar Singh
For the Respondent/s : Mr. Sanjay Kr No.2

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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.98

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