

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10631 of 2015

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Punita Kumari @ Punita Devi W/o Sri Bhupendra Prasad Yadav Resident of
Village Sisauni, Gram Panchayat Rajpur, P.S. Kishanpur, District Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Principal Secretary, Department of Social Welfare, Bihar, Patna.
2. The Commissioner, Koshi Division, Saharsa.
3. The District Magistrate, Supaul.
4. The District Programme Officer, I.C.D.S., Supaul.
5. The Sub Divisional Officer, Supaul.
6. The C.D.P.O., Kishanpur, P.S. Kishanpur, District Supaul.
7. The Mukhia, Gram Panchayat, Rajpur, under Kishanpur Block, District Supaul.
8. The Panchayat Secretary, Gram Panchayat, Rajpur, under Kishanpur Block, District Supaul.
9. Smt. Geeta Kumari W/o Sri Suresh Kumar Yadav Resident of Village Sisauni, Gram Panchayat Rajpur, P.S. Kishanpur, District Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Yogendra Kumar, Adv.
For the Respondent/s : Mr.A.Ujjwal, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL JUDGMENT

Date : 30-01-2023

1. In this writ petition grievance raised is relating to
appointment of Anganwari Worker.

2. 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.

3. Of course, under the guidelines, grievance against appointment of Anganwari Worker can be raised before the Collector of concerned District with a further revision to the Commissioner.

4. 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. In view thereof, the writ petition would not be maintainable even against the orders of the Collector or the Commissioner.

5. Leaving it open to the respective writ petition to avail any of the aforesaid remedies, if they have not so availed, the writ petition is held to be not maintainable.

6. Accordingly, this writ petition is dismissed with the aforesaid liberty.

7. If an appeal/revision is filed, the same shall be



decided expeditiously within a period of six months and the question of limitation will not arise.

(Sanjeev Prakash Sharma, J)

Lata/-
Item No. 15

AFR/NAFR	
CAV DATE	
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Transmission Date	

