

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14377 of 2015

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Babli Kumari wife of Vickky Kumar resident of Village Chrwara, P.S. Atri,
District Gaya. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, I.C.D.S. Department
Govt. of Bihar, Patna.
2. The Director, Social Welfare, Govt. of Bihar, Patna.
3. The District Magistrate, District Gaya.
4. The District Programme Officer, District Gaya.
5. The Child Development Project Officer, Mohara Block, P.S. Atri, District -
Gaya.
6. Bindu Kumari wife of Rajeev Bharti resident of Village Rajbigha, P.S. Atri
District Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan, Adv.
For the Respondent/s	:	Ms. Anuradha Singh, SC-1
		Ms. Nutan Kumari Sharma, AC to SC-1

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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)

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Item no.40

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	

