

GAHC010039662017



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5619/2017

ANOWARA KHATUN
W/O ABDUL KARIM R/O VILL- MOBARAK BASTI P.O. NILBAGAN, PS..
MURAJHAR, DIST. HOJAI, ASSAM.

VERSUS

THE STATE OF ASSAM and 8 ORS.
REP. B THE SOMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF SOCIAL WELFARE, DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF SOCIAL WELFARE

BALBHAWAN
UZAN BAZAR
GUWAHATI -1.

3:THE CHILD DEVELOPMENT PROJECT OFFICER

JUGIJAN ICDS PROJECT
P.O. NILBAGAN
DIST. HOJAI
ASSAM
PIN - 782445.

4:THE DEPUTY COMMISSIONER

HOJAI
P.O. and DIST. HOJAI
ASSAM

5:THE SUPERVISOR

MUBARAK BASTI NO. 2
ANGANWADI CENTRE
C/O CDPO
JUGIJAN ICDS PROJECT
P.O. NILBAGAN
DIST. HOJAI
ASSAM
PIN - 782445.

6:THE MANAGING COMMITTEE OF THE MOBARAK BASTI NO. 2

ANGANWADI CENTRE NO. 290
REP. BY ITS PRESIDENT
VILL- MOBARAK BASTI
P.O. NILBAGAN
DIST. HOJAI
ASSAM
PIN - 782445.

7:SAHABUDDIN
S/O LATE MUJID ALI
R/O MUBARAK BASTI
P.O- NILBAGAN
DIST- HOJAI
ASSAM.

8:RUHUL JANNA
D/O SAHABUDDIN
R/O MUBARAK BASTI
P.O- NILBAGAN
DIST- HOJAI
ASSAM.

9:RUSNA BEGUM
C/O SAHABUDDIN
ANAGNWADI HELPER
MUBARAK BASTI NO. 2
ANGANWADI CENTRE
P.O- NILBAGAN
DIST- HOJAI
ASSAM

Advocate for the Petitioner : MR.A R SIKDAR, MR.A ALI,MR.M H TALUKDAR

Advocate for the Respondent : , ,GA, ASSAM(R1-4)

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

02.09.2024

1. Heard Mr. A.R. Sikdar, learned counsel for the petitioner and Mr. A. Chakraborty, learned State Counsel for the respondent nos.1 to 5. None appears for the respondent nos. 6 to 9.
2. Having regard to the nature of the case projected by the petitioner and the submission made by the learned counsel Mr. A.R. Sikdar, the writ petition is taken up for disposal at this stage.
3. The case of the petitioner is that she was appointed as Anganwadi Worker in Mubarak Basti No.2 Anganwadi Centre No.290, Village- Mubarak Basti, P.O. Nilbagan in the District of Hojai, Assam on 01.02.2011. After being appointed as such, the petitioner was working in the said Anganwadi Centre but subsequently she was not allowed to work in the said centre on account of certain complaints submitted against her and her salary has not been paid since December, 2016. The petitioner therefore submitted a representation before the Director, Social Welfare Department on 24.04.2017. But as the same has not been considered and dispose of, the petitioner has filed the instant writ petition.
4. Mr. A. Chakraborty, learned counsel for the official respondents submits that counter affidavit has been filed by the CDPO (respondent no.3) and as per the stand taken therein, the petitioner has made a claim for salaries for which she has not rendered her service and therefore, according to the respondents there is no question of paying the petitioner salaries for the work not rendered.

5. Mr. A.R. Sikdar, learned counsel however submits that no order has been passed by the respondent authorities disposing the representation submitted by the petitioner and therefore submits that the petitioner may be allowed to submit a fresh representation before the respondent no.2 incorporating her grievance and the said respondents may be directed to dispose of the same within a timeframe.

6. Mr. A. Chakraborty, learned State Counsel has no objection to the prayer.

7. In view of the above, the writ petition is disposed of with a direction to the petitioner to file a fresh representation to the respondent no.2 within a period of 2 (two) weeks from today. In the event, such representation is submitted by the petitioner to the respondent no.2, the respondent no.2 shall consider the same and dispose of the representation within a period of 6 (six) weeks from the date of receipt of the representation.

8. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant