

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3284 of 2009**

- Smt. Ujjawal Bai, aged about 39 years, W/o Birbal, R/o Village Karraajor, Tah. Pussour, Distt. Raigarh (CG).

---- Petitioner**Versus**

1. State Of Chhattisgarh through the Secretary, Department of Child and Woman Development, DKS Bhawan, Raipur.
2. Smt. Sarita Sidar W/o Mohan Sidar, aged about 25 years, R/o Village Karraajor, Tah. Pussour, Distt. Raigarh (CG)
3. Smt. Phoolmati Sidar W/o Shashi Bhushan Sidar, aged about 28 years, R/o Village Karraajor, Tah. Pussour, Distt. Raigarh (CG)
4. Sarpanch, Gram Panchayat Karraajor, Tah. Pussour, Distt. Raigarh (CG)
5. Janpad Panchayat Pussour, Through Chief Executing Officer, Janpad Panchayat Pussour, Distt. Raigarh (CG)
6. Project Officer, Unified Child Development Project, Pussour, Distt. Raigarh (CG)

---- Respondents

For Petitioners	Shri Ravindra Agrawal, Advocate.
For Respondent/State	Ms. Madhunisha Singh, Panel Lawyer.
For Respondent No.2.	Shri V. Vijay, Advocate.
For Respondent No.5	Shri Akhilesh Kumar, Advocate.

Hon'ble Shri Justice P. Sam Koshy
Order On Board

20/11/2015

1. Challenge in this petition is to the order dated 04.03.2009 passed by the Director, Panchayat, in Revision Case No.56/A.89/07-08. The Director,

Panchayat, after due consideration of the claim of the Petitioner found the earlier order passed by the Collector on 09.06.2008 in Appeal Case No.218/A-89/2007-08 proper and affirmed the same by granting employment to private Respondent No.2 in place of Petitioner.

2. The facts in nutshell relevant for disposal of this petition is that, the petitioner was appointed as Angan Badi worker vide order dated 31.01.2007. Being aggrieved by the said order, the Respondents No.2 & 3 filed a complaint before the Additional Collector, Raigarh, which was registered as Appeal Case No.218/A-89/2007-08. The Collector, after scrutinizing the documents and relevant papers found that candidatures of respondents No.2 & 3 were not considered properly while selecting the Petitioner, and after having found the Respondent No.2 more meritorious than the Petitioner, allowed the Appeal and the Respondent No.2 was ordered to be appointed as Angan Badi worker vide order dated 09.06.2008 cancelling the appointment of Petitioner.
3. The said order dated 09.06.2008 was put to challenge before the Director, Panchayat. The Director, Panchayat also taking into consideration the objections put forth by the Petitioner and after due verification of the records found that the findings arrived at by the Appellate Court i.e. Collector on 09.06.2008 was proper and legal and also having found that Respondent No.2 was more meritorious than the Petitioner, affirmed the findings of Appellate court vide order impugned.
4. This court in exercise of its writ jurisdiction has to see only as to whether any perversity has been arrived at in the course of deciding the matter by

the authorities below and that whether the findings so arrived at is contrary to the evidence or the authority concerned have exceeded its jurisdiction or even lacks jurisdiction.

5. The Petitioner has not been able to show any perversity in the findings arrived at by the two courts below and also it is not a case of the petitioner that authorities concerned have passed the order contrary to evidence on record. Nor it is the case of the Petitioner that the authorities below in any manner lacked jurisdiction or have exceeded its jurisdiction. In the absence of any such averment or material, this court does not find any merit in the petition.
6. Accordingly, the petition fails and is dismissed. No order as to costs.

Sd/-

(P.Sam Koshy)

JUDGE