

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1541 of 2009**

Smt. Sushila Gupta W/o Ashish Gupta, aged about 28 years, R/o village Ghui,
Development Block Pratappur, District Sarguja Chhattisgarh.

---- Petitioner**Versus**

- 1.The State of Chhattisgarh, Through the Secretary, Department of Child and Women Development Department, DKS Bhawan, Raipur, Chhattisgarh.
- 2.The Director, Panchayat and Social Welfare Department, DKS Bhawan, Raipur, Chhattisgarh.
- 3.The Collector, Sarguja at Ambikapur, District Sarguja, Chhattisgarh.
- 4.District Program Officer, Child and Woman Development Department, Sarguja at Ambikapur, District Surguja, Chhattisgarh.
- 5.Project Officer, Child and Woman Development Department, Sarguja at Ambikapur, District Sarguja Chhattisgarh.
- 6.Smt. Kaleshwari W/o Chaturgun Ahir, aged about 23 years, R/o village Ghui, Development Block Pratappur, District Sarguja, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Shakti Raj Sinha, Advocate.
For Respondents/State	:	Shri Vinod Deshmukh, Deputy Government Advocate.
For Respondent No. 6	:	Shri D.N.Prajapati, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice**Order on Board****16/10/2015**

1. Heard Learned Counsel for the Petitioner and the Respondents.
2. The Petitioner was appointed as Anbangadi Worker on 18.1.2007. Her appointment was terminated on a challenge by Respondent No. 6 that she was not a resident of the concerned Gram Panchayat and her father-in-law was a government servant. The Respondents held an enquiry and cancelled the appointment on 13.10.2008.

3. The Petitioner preferred an appeal before the Director, Panchayat and Social Welfare Department, Chhattisgarh on 12.10.2008 and then filed the writ application on 16.02.2009.
4. Learned Counsel for the Petitioner submits that the allegations were not correct, moreover, she was removed in violation of principles of natural justice which is a gross illegality and warrants interference.
5. Learned Counsel for the State points out that the appeal was filed prior to the writ petition. The Petitioner cannot pursue two remedies simultaneously.
6. The Court is of the considered opinion that the Petitioner cannot pursue two remedies simultaneously. The appeal having been preferred earlier in time, applying the doctrine of election, the writ petition is held to be not maintainable. The appeal is directed to be disposed expeditiously, if not already disposed.
7. The writ petition is dismissed with directions.

Sd/-
(Navin Sinha)
CHIEF JUSTICE