

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Writ Petition (S) No. 7585 of 2006

Bhagmaniya D/o Ghursai, aged about 23years, by Caste Gond, R/o village Tikrapara (Premnagar) Tahsil Surajpur, District Surguja, Chhattisgarh.

---- **Petitioners**

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Women and Child Development, DKS Bhawan, Raipur, Chhattisgarh.
2. The Commissioner, Women and Child Development, Raipur, Chhattisgarh.
3. The Collector, Ambikapur, District Surguja, Chhattisgarh.
4. The Project Officer, Women and Child Development, Ambikapur, District Surguja, Chhattisgarh.
5. The District Programme Officer, Women and Child Development, Ambikapur, Chhattisgarh.
6. The Chief Executive Officer, Janpad Panchayat, Premnagar, District Surguja, Chhattisgarh.
7. Vandna D/o Suraji Lal, aged about 22 years, R/o village Tahsil Surajpur, District Surguja, Chhattisgarh.

---- **Respondents**

For Appellants : Shri Rahul Mishra, Advocate.
 For Respondent/State : Shri UNS Deo, Government Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Order on Board

14/12/2015

1. Heard Learned Counsel for the Petitioners and the Respondents.
2. The Petitioner questions appointment of Respondent No. 7 as Anganbadi Worker on the ground that she does not possess necessary qualifications. Respondent No. 7 was appointed as far back as 11.8.2006. The pleadings with regard to her ineligibility in paragraph 5.3 are vague and leave the Court dissatisfied. The further contention that Respondent No. 7 did not fall below the poverty line, that she had filed an application for judicial separation and her mother was a teacher under the State Government are questions of fact which ought to have been raised before the authorities first rather than to rush to this Court

directly. The Petitioner had adequate remedies before the Project Officer, District Magistrate and the Commissioner as the case may be. The Petitioner was duly considered and not selected.

3. The Court is therefore not inclined to entertain this writ petition straightaway at this belated stage to determine the issues of fact requiring enquiry by issuance of notice to the private Respondents. The first principle for issuance of mandamus is demand and refusal of relief.

4. The writ petition is dismissed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE