

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5472 of 2008**

- Seema Pandey, D/o Balbhadra Dubey, aged about 35 years, Anganbadi Worker, Village Khokhsa, Tahsil and District Janjgir-Champa (CG)

---- Petitioner**Versus**

1. State Of Chhattisgarh, through Secretary, Department of Panchayat & Social Welfare, DKS Bhawan, Raipur (CG)
2. Director, Department of Panchayat and Social Welfare, DKS Bhawan, Raipur (CG)
3. Additional Collector Distt.-Janjgir-Champa (CG)
4. Chief Municipal Officer, Janpad Panchayat, Janjgir, District Janjgir-Champa (CG)
5. Smt. Usha Rathore W/o Late Shri Ujjain Sahu R/o Village-Khoksha, Tahsil & Distt.-Janjgir-Champa (CG)

---- Respondent

For Petitioner	None
For Respondent/State	Ms. Sunita Jain, Panel Lawyer
For Respondent No.5	Mrs. Mandavi Bharadwaj, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

17/4/2017

1. The writ petition pertains to appointment of Aanganbadi worker for Village Panchayat, Khokhsa, Janpad Panchayat, Janjgir, District Janjgir-Champa.
2. In a duly drawn selection process, respondent No.5 Smt. Usha Rathore was appointed after according preference to her candidature on the ground that she is a widow lady, whereas, candidature of the

petitioner, who claims to be a deserted lady, was rejected on the ground that she could not prove her desertion by submitting any material documents. Appointment of respondent No.5 was challenged by the petitioner before the Additional Collector, which was allowed in the petitioner's favour, against which, respondent No.5 preferred revision application before the Director (Panchayat), which stands allowed by the impugned order dated 07.08.2008. There is no interim order operative in favour of the petitioner in the present writ petition.

3. It appears under the extant guidelines contained in para 5 thereof, a widow/deserted woman candidate is entitled to preference, therefore, respondent No.5, who is a widow, which she duly proved by filing the death certificate of her husband, and possesses the required qualification of VIII standard pass and also belongs to the same Gram Panchayat area, has been chosen over the present petitioner.
4. Having examined the matter and after hearing learned counsel for the respective respondents, this Court does not find any substance in the writ petition because the Director (Panchayat) has passed a reasoned order after considering all relevant aspects of the matter including the applicable guidelines.
5. There being no perversity in the order passed by the Director (Panchayat), no interference to exercise power under Article 226 of the Constitution of India, is made out in this petition. It is accordingly dismissed.

Sd/-

Judge

(Prashant Kumar Mishra)