

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6160 of 2011

Rambha Yadav D/o Lt. Shri Ramgopal Yadav R/O Gram & Post Bartori Vill. Bilha
Distt. Bilaspur Cg

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Women and Child Welfare Department,
DKS Bhawan, Mantralaya, Raipur (CG)
2. Dist. Program Officer Women And Child Welfare Department Bilaspur Cg
3. Chief Executive Officer Janpad Panchaya Bilha Distt. Bilaspur Cg
4. Project Officer Women And Child Welfare Department Bilha Distt. Bilaspur Cg
5. Sunita Devi Jaiswal W/o Shri Anil Jaiswal R./o Gram & Post Bartori Via. Bilha Distt.
Bilaspur Cg

---- Respondents

Shri Mateen Siddiqui, counsel for the petitioner/s.
Shri Satish Gupta, Govt. Advocate for the State.
Shri Pawan Kesharwani, counsel for respondent No.5.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/07/2017

With the consent of the parties, the matter is heard finally.

The dispute in this case is with regard to legality and validity of appointment of respondent No.5 as Aanganbadi worker.

2. The petitioner has relied upon number of reports along with the petition to submit that respondent No.5 does not belong to BPL category but the State has also placed before the Court report of Nayab Tahsildar, according to which, respondent No.5 belongs to BPL.
3. The dispute is essentially of factual nature which will require enquiry on

facts. The petitioner had remedy of filing appeal but instead of filing appeal against respondent No.5, the petitioner filed this petition. Though this petition is of the year 2011, looking to the matter that it requires factual enquiry, it would be proper that the petitioner approaches the Collector and the Collector / appellate authority decide such issues of facts.

4. With the liberty to the petitioner to approach the Collector within a period of one month from today, this petition is finally disposed off.

5. Considering that it is an old matter, the Collector shall do well to decide the matter on merits within an outer limit of two months without going into the question of limitation. The petitioner would be at liberty to apply for interim order before the Collector.

**Sd/-
(Manindra Mohan Shrivastava)
Judge**