

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWA No. 246 of 2019

- Smt. Anita Chouhan W/o Shri Ramesh Chouhan Aged About 31 Years, R/o Village Temari, Post Garra, Tahsil Saraipali, District Mahasamund, Chhattisgarh.

---- Appellant

Versus

1. State Of Chhattisgarh Through The Secretary, Child And Women Development Department Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. Collector, Mahasamund, District Mahasamund, Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat Mahasamund, District Mahasamund, Chhattisgarh.
4. Chief Executive Officer, Janpad Panchayat Saraipali, District Mahasamund, Chhattisgarh.
5. Programme Officer, Integrated Child And Women Development Department, Saraipali, District Mahasamund, Chhattisgarh.
6. Smt. Sevaki Bai W/o Resham R/o Village Temari, Post Garra, Tahsil Saraipali, District Mahasamund, Chhattisgarh.

---- Respondents

For Appellant	:-	Shri Rajeev Dubey, Advocate
For Respondent-State	:-	Shri Faiz Kazi, PL

Hon'ble Shri Prashant Kumar Mishra, Ag. CJ

Hon'ble Shri Parth Prateem Sahu, J.

Order on Board

By

Prashant Kumar Mishra, Ag. CJ

30/04/2019

1. Appellant's writ petition has been dismissed on the ground of delay and laches. Appellant has challenged the appointment of respondent No.6 Smt. Sevaki Bai on the post of Aanganbadi Worker which was made on 24.09.2009, by filing an appeal before the Collector after 3 years i.e. in the year 2012.
2. When the appeal was dismissed by the Collector on 28.07.2012 appellant again went in hibernation and preferred the writ petition in the year 2019 i.e. after about 7 years.
3. We are in full agreement with the order passed by the learned Single Judge dismissing the writ application on the ground of delay and laches. In Para 7 of the writ petition as concerning the delay in filing the petition, petitioner has stated that she was expecting that department would consider her submission and she was legitimately expecting for the post of Aanganbadi Worker, therefore, the delay has occasioned. There is no explanation as to why the writ petition was filed after 7 years from the date of dismissal of

her appeal by the Collector. The explanation offered is not germane to the proceedings undertaken by the petitioner after much delay.

4. The writ application has rightly been dismissed by the learned Single Judge, therefore, the writ appeal has no substance, it is dismissed.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge

Ankit